FATWA

ON

TERRORISM

AND

SUICIDE BOMBINGS

FATWA

ON

TERRORISM

AND

SUICIDE BOMBINGS

Shaykh-ul-Islam Dr Muhammad Tahir-ul-Qadri

Foreword by Prof John L. Esposito Introduction by Dr Joel S. Hayward

O Minhaj-ul-Quran International

First Published December 2010

Published by Minhaj-ul-Quran International (UK)
292-296 Romford Road
Forest Gate
London, E7 9HD
United Kingdom

www.minhaj.org | www.minhajuk.org www.fatwaonterrorism.com

Copy editor: Abdul Azız Suraqah

ISBN-13: 978-0-95518-889-3 ISBN-10: 0-9551888-9-X

Library of Congress Control Number: 2010939059

All rights reserved. Aside from fair use, meaning a few pages or less for non-profit educational purposes, review, or scholarly citation, no part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without the prior permission of the copyright owner.

Minhaj-ul-Quran International has no responsibility for the persistence or accuracy of URLs referred to in this publication, and does not guarantee that any content on such websites is, or will remain, accurate or appropriate. All information is correct as of June 2010, but Minhaj-ul-Quran International does not guarantee the accuracy of such information thereafter.

Printed by MPG Biddles Book Printers, Norfolk UK

يني إلى الجوالجي

In the name of God, Most Compassionate, Ever-Merciful

SAYING OF GOD

﴿مَنْ قَتَلَ نَفْسًا بِغَيْرِ نَفْسِ أَوْ فَسَادٍ فِي ٱلْأَرْضِ فَكَأَنَّمَا قَتَلَ ٱلنَّاسَ جَمِينًا﴾

Whoever kills a person [unjustly], except as a punishment for murder or [as a prescribed punishment for spreading] disorder in the land, it is as if he killed all of humanity. [Qur'an 5:32]

SAYING OF THE PROPHET A

عَنْ أَبِي بَكْرَةً ﷺ عَنِ النَّبِيِّ ﷺ أَنَّهُ قَالَ: وإِنَّ دِمَاءَكُمْ وَأَمْوَالَكُمْ وَأَعْرَاصَكُمْ عَلَيْكُمْ حَرَامٌ، كَنْ مَكُرُمَةً مَذَا، فِي بَلَدِكُمْ هَذَا، إِلَى يَوْمِ عَلَيْكُمْ حَرَامٌ، كَحُرْمَةِ يَوْمِكُمْ هَذَا، فِي شَهْرِكُمْ هَذَا، فِي بِلَدِكُمْ هَذَا، إِلَى يَوْمِ تَلْقُونَ رَبَّكُمْ،.

Abū Bakra & reported that the Prophet said, 'Indeed, your blood and your property and your honour are inviolable, like the inviolability of this day of yours and this month of yours and this land of yours until the day you meet your Lord'. [al-Bukhārī and Muslim]



Shaykh-ul-Islam Dr Muhammad Tahir-ul-Qadri

Shaykh-ul-Islam Dr Muhammad Tahir-ul-Qadri is a scholar and intellectual leader of extraordinary proportions. He is a living model of profound classical knowledge, intellectual enlightenment, practical wisdom, pure spirituality, love, harmony and humanism. He is well known for his ardent endeavours to strengthen bonds amongst people by bringing them together through tolerance, dialogue, integration and education. He successfully bridges the past with his image of the future and finds convincing solutions for contemporary problems. Dr Qadri has been teaching Hadith, Qur'ānic exegesis, jurisprudence, theology, Sufism, Prophetic biography, Islamic philosophy and many other rational and traditional sciences to thousands of people, including scholars, students, intellectuals and academics in the east and the west.

Dr Qadri was born in 1951 in the city of Jhang, Pakistan, hailing from a family of Islamic scholars and teachers. His formal religious education was initiated in Medina at the age of 12 in Madrasa al-'Ulūm al-Shar'iyya, a traditional school situated in the blessed house of the Companion of the Prophet Muhammad , Abū Ayyūb al-Anṣārī . He completed the traditional studies of classical and Arabic sciences under the tutelage of his father and other eminent scholars of his time. He continued to travel around the Islamic world in pursuit of sacred knowledge, and studied under many famous scholars of Mecca, Medina, Syria, Baghdad, Lebanon, the Maghreb, India and Pakistan, and received around five hundred authorities and chains of transmission from them in Hadith and classical Islamic and spiritual sciences.

Amongst those is an unprecedented, unique, highly blessed and honoured chain of authority which connects him, through four teachers, to 'Abd al-Razzāq, the son of Sayyidunā Shaykh 'Abd al-Qādir al-Jīlānī al-Ḥasanī al-Ḥusaynī (of Baghdad), al-Shaykh

al-Akbar Muḥyī al-Dīn Ibn al-ʿArabī (author of al-Futūhāt al-Makkiyya) (Damascus) and Imam Ibn Ḥajar al-ʿAsqalānī, the great Hadith authority of Egypt. Through another chain he is linked to Imam Yūsuf al-Nabahānī directly via only one teacher. His chains of transmission are published in two of his thabats (detailed list): al-Jawāhir al-bāhira fī al-asānīd al-ṭāhira and al-Subul al-wahabiyya fī al-asānīd al-dhahabiyya.

In the academic sphere, Dr Qadri received a First Class Honours Degree from the University of the Punjab in 1970. After earning his MA in Islamic studies with distinction in 1972 and achieving his LLB in 1974, Dr Qadri began to practise law in the district courts of Jhang. He moved to Lahore in 1978 and joined the University of the Punjab as a lecturer in law and completed his doctorate in Islamic Law. He was later appointed as a professor of Islamic Law and was head of the department of Islamic legislation.

Dr Qadri was also a jurist advisor to the Federal Shariah Court and Appellate Shariah Bench of the Supreme Court of Pakistan and advisor on the development of Islamic Curricula to the Federal Ministry of Education. Within a short span of time, Dr Qadri has emerged as one of the Pakistan's leading Islamic jurists and scholars and one of the world's most renowned and leading authorities on Islam. A prolific author, researcher and orator, Dr Qadri has written around one thousand books, out of which four hundred have been published, and has delivered over six thousand lectures (in Urdu, English and Arabic) on a wide range of subjects.

Dr Qadri is also the founder and head of Minhaj-ul-Quran International (MQI), an organisation with branches and centres in more than ninety countries around the globe; he is the chairman of the Board of Governors of Minhaj University Lahore, which is chartered by Government of Pakistan; he is founder of Minhaj Education Society, which has established more than 572 schools and colleges in Pakistan; and he is the chairman of the Minhaj Welfare Foundation, an organization involved in humanitarian and social welfare activities globally.

Transliteration Key

	1		
۱/آ/ی	ā	ظ	z
ب	b	ع	ć
ب ن ن	t	ė	gh
ث	th	ع غ ف	f
<u>ج</u>	j	ق	q
ح	b	ڬ	k
ج خ د	kh	J	1
د	d	٠	m
ذ	dh	ن	n
ر	r	٨	h
j	z	و	w/ū
	s	ي	y/ī
m	sh	ŏ	a
ص	ş	£	,
س ش ص ض ط	¢	1	a
ط	t	1	i

FORMULAIC ARABIC EXPRESSIONS

- (Salla-llāhu 'alayhi wa ālihī wa sallam) an invocation of God's blessings and peace upon the Prophet Muhammad and his family: 'God's blessings and peace be upon him and his family'
- ★2 ('Alayhis-salām) an invocation of God's blessings and peace upon a Prophet or an angel: 'May peace be upon him'
- ('Alayhimus-salām) an invocation of God's blessings and peace upon three or more Prophets: 'May peace be upon them'
- (Radiya-llāhu 'anhu) an invocation of God's pleasure with a male Companion of the Prophet: 'May God be pleased with him'
- (Radıya-llāhu 'anhā) an invocation of God's pleasure with a female Companion of the Prophet: 'May God be pleased with her'
- (Radiya-llāhu 'anhumā) an invocation of God's pleasure with two Companions of the Prophet: 'May God be pleased with both of them'
- (Radiya-llāhu 'anhum) an invocation of God's pleasure with more than two Companions of the Prophet: 'May God be pleased with them'

CONTENTS

Foreword	XXIII
Introduction	XXIX
PREFACE	I
Some Important Questions	7
GOOD INTENTIONS DO NOT CHANGE VICES INTO VIRTUES	13
Chapter 1	
The Meaning of Islam	19
1.1 Islam as Peace and Security	2.1
1.2 THE THREE LEVELS OF ISLAM	2.1
1.3 On the Literal Meaning of the Word Islam	2.5
1.4 Islam Means Safety for All of Humanity	34
1.5 On the Literal Meaning of the Word <i>Iman</i>	36
1.6 Iman Means Safety for All of Humanity	41
1.7 On the Literal Meaning of the Word IḤsān	43
1.8 Summary	55
CHAPTER 2	
The Unlawfulness of Indiscriminately Killing Muslims	57
2.1 The Sanctity of a Believer is Greater Than the Kaʿba	59
2.2 Merely Pointing a Weapon at a Believer is Prohibited	59
2.3 THE UNLAWFULNESS OF VIOLENCE AGAINST MUSLIMS	61
2.4 THE UNLAWFULNESS OF KILLING SOMEONE WHO ACCEPTS ISLAM IN THE MIDST OF FIGHTING	62
2.5 BECOMING AN ACCOMPLICE TO TERRORISTS IS ALSO A	65

XII | FATWA on TERRORISM AND SUICIDE BOMBINGS

2.6 Those Who Attack Mosques Are the Greatest Wrongdoers	66
2.7 Killing a Muslim is a Greater Sin than Destroying the World	68
2.8 The Massacre of Muslims is an Act of Disbelief	69
2.9 Like Polytheism, Murder is One of the Greatest Wrongs	70
2.10 BLOODSHED IS THE GREATEST OF ALL CRIMES	72
2.11 Those Who Subject Muslims to Burning through Explosions and Other Means Belong in the Hellfire	74
2.12 NO ACT OF WORSHIP PERFORMED BY A MURDERER OF A MUSLIM IS ACCEPTABLE	76
2.13 Those Who Torture Muslims Will Face the Torment of Hell	76
2.14 THE UNLAWFULNESS OF SUICIDE	77
2.15 The Qur'anic Texts and Hadith Reports on Suicide	78
2.16 The Condemnation of the Leaders Who Command Others to Commit Suicide	81
2.17 Paradise is Forbidden for the One Who Commits Suicide	83
2.18 He Who Commits Suicide during Jihad Will Enter Hell	85
2.19 The Prophet 🐞 Did Not Offer the Funeral Prayer over People Who Committed Suicide	87
Chapter 3	
The Unlawfulness of Indiscriminately Killing Non-Muslims and Torturing Them	91
3.1 No Discrimination Between the Killings of Muslim and Non-Muslim Citizens	93
3.2 The Massacre of Civilian Population and Considering it Lawful is an Act of Disbelief	94
3.3 The Killing of Non-Muslim Citizens Makes Paradise Forbidden for the Killer	98

3.4 The Unlawfulness of Killing Foreign Delegates and Religious Leaders	100
3.5 The Retribution [Qisās] of Muslims and Non- Muslims is the Same	102
3.6 The Unlawfulness of Harming a Non-Muslim Citizen out of Revenge	105
3.7 THE UNLAWFULNESS OF USURPING THE WEALTH OF NON- MUSLIMS	106
3.8 Humiliating Non-Muslim Citizens is Forbidden	110
3.9 THE PROTECTION OF NON-MUSLIM CITIZENS FROM INTERNAL AND EXTERNAL AGGRESSION	112
Chapter 4	
The Unlawfulness of Terrorism against Non-	117
Muslims—Even During Times of War	
4.1 Preliminary Remarks	119
4.2 The Unlawfulness of Killing Non-Muslim Women	120
4.3 The Unlawfulness of Killing the Children of Non- Muslims	122
4.4 THE UNLAWFULNESS OF KILLING ELDERLY NON-MUSLIMS	125
4.5 The Unlawfulness of Killing the Religious Leaders of Non-Muslims	126
4.6 The Unlawfulness of Killing Non-Muslim Traders and Farmers	128
4.7 THE UNLAWFULNESS OF KILLING NON-MUSLIM SERVICE PERSONNEL	130
4.8 The Unlawfulness of Killing Non-Muslims Who Are Non-combatants	131
4.9 The Unlawfulness of Waging Night Offensives against Non-Muslims	133
4.10 The Unlawfulness of Burning Non-Muslims	133
4.11 THE UNLAWFULNESS OF BREAKING INTO ENEMY HOMES AND LOOT THEM	135
4.12 THE UNLAWFULNESS OF DESTROYING THE CATTLE, CROPS AND PROPERTIES OF THE ENEMY	136
4.13 Summary	139

XIV | FATWA ON TERRORISM AND SUICIDE BOMBINGS

CHAPTER 5	
On the Protection of the Non-Muslims' Lives, Properties and Places of Worship	14:
5.1 The Protection of Non-Muslim Citizens during the Time of the Prophet Muhammad 🏔	14
5.2 The Protection of Non-Muslim Citizens during the Reign of Abû Bakr al-Şiddiq 🙇	14
5.3 The Protection of Non-Muslim Citizens during the Reign of 'Umar B. al-Khaţtāb 🔏	147
5.3.1 'Umar's Relaxation of Tax Collection from the Non-Muslim Citizens	148
5.3.2 Stipends for the Handicapped, Old and Poor Non-Muslim Citizens	150
5.4 The Protection of Non-Muslim Citizens during the Reign of 'Uthman b. 'Affan 🟂	15
5.5 The Protection of Non-Muslim Citizens during the Reign of 'Ali b. Abi Țălib 🏂	15
5.6 The Protection of Non-Muslim Citizens during the Reign of 'Umar b. 'Abd al-'Azīz 🟂	154
CHAPTER 6	
The Unlawfulness of Forcing One's Belief upon Others and Destroying Places of Worship	157
6.1 Preliminary Statement	159
6.2 The Complete Freedom to Practise One's Religion	159
6.3 THE UNLAWFULNESS OF KILLING A NON-MUSLIM AND DESTROYING HIS OR HER PROPERTY DUE TO RELIGIOUS DIFFERENCES	16:
6.4 It is a Sunna of the Prophet 🌲 to Safeguard the Non-Muslims' Places of Worship	162
6.5 It is a Religious Obligation to Safeguard the Non- Muslims' Places of Worship	16
6.6 THE UNLAWFULNESS OF DESTROYING THE NON-MUSLIMS' PLACES OF WORSHIP LOCATED IN MUSLIM-MAJORITY AREAS	164

CHAPTER 7	
Legal Maxims Concerning the Basic Rights of the Non-Muslim Citizenry of an Islamic State	167
7.1 LEGAL MAXIMS	169
CHAPTER 8	
The Unlawfulness of Rebelling Against the Muslim State, Administration and Authority	171
8.1 What is Rebellion and Who is a Rebel?—Terms, Definitions and Signs	173
8.2 THE LEXICAL DEFINITION OF REBELLION	173
8.3 THE LEGAL DEFINITION OF REBELLION	175
8.3.1 REBELLION ACCORDING TO THE ḤANAFI SCHOOL OF JURISPRUDENCE	175
8.3.2 REBELLION ACCORDING TO THE MALIKI SCHOOL OF JURISPRUDENCE	178
8.3.3 REBELLION ACCORDING TO THE SHAFI'I SCHOOL OF JURISPRUDENCE	179
8.3.4 Rebellion According to the Ḥanbali School of Jurisprudence	181
8.3.5 REBELLION ACCORDING TO THE JA'FARI SCHOOL OF JURISPRUDENCE	183
8.3.6 REBELLION ACCORDING TO CONTEMPORARY JURISTS	184
8.4 The Legal Definition of 'Unlawful Warfare' and 'Illegal Fighters'	187
8.5 The Distinguishing Characteristics of Rebels	187
Chapter 9	
Rebellion: Its Gravity and Punishment	191
9.1 WHY IS REBELLION A GRAVE CRIME?	193
9.2 An Important Point	196
9.3 THE PROPHET'S A CONDEMNATION OF ARMED UPRISING	197

XVI | FATWA ON TERRORISM AND SUICIDE BOMBINGS

9.5 The Unlawfulness of Using Slogans to Incite Hatred and Violence	203
9.6 Killing Due to Sectarian Differences is Blameworthy	203
Chapter 10	
The Legal Status of Fighting Against a Corrupt Government	207
10.1 The Unlawfulness of Rebelling against a Government that is not Explicitly Idolatrous	209
10.2 Raising Arms against Muslims is an Act of Disbelief	211
10.3 The Legal and Constitutional Way of Changing a Corrupt Government	212
CHAPTER 11	
Legal Verdicts and Statements from the Four	221
Imams and Eminent Authorities of the Umma	
against Terrorism and Rebellion	
ii.i Imam Abû Ḥanīfa	223
11.2 Imam al-Țaḥawi	223
11.3 Imam Mälik	225
i i.4 Imam al-Shāfi'ī	226
11.5 Imam Aḥmad b. Ḥanbal	227
i i.6 Imam Sufyān al-Thawrī	229
11.7 Imam al-Māwardī	229
i 1.8. Imam al-Sarakhsi	230
11.9 Imam al-Kāsānī	231
ii.io. Imam al-Marghinānī	232
11.11 Imam Ibn Qudāma al-Maqdisī	232
11.12 Imam al-Nawawi	233
11.13 'ÄLIM B. AL-'ÄLÄ' AL-ÄNDARÏTÏ AL-DIHLAWÏ	234
11.14 Imam Ibn Mufliң al-Ḥanbalī	235

11.15 Imam Zayn al-Din b. al-Nujaym	236
11.16 'ABD AL-RAHMAN AL-JAZĪRĪ	236
11.17 Concluding Remarks	237
CHAPTER 12	
Statements from Contemporary Salafi Scholars Against Terrorists	239
12.1 Shaykh Muhammad Näşir al-Din al-Albāni: The Terrorists are the Kharijites of Our Era	241
12.2 SHAYKH IBN BAZ: DECLARING MUSLIMS TO BE Disbelievers is a Sign of the Kharijites	242
12.3 Shaykh Şâlih al-Fawzân: The Terrorists of Today Are a Group of Ignorant Folk	244
12.4 Mufti Nadhīr Ḥusayn al-Dihlawī: Terrorist Activities Are Not Jihad	246
12.5 Summary	249
CHAPTER 13	
The Tribulation of the Kharijites and Modern- Day Terrorists	251
13.1 THE BELIEFS, DOCTRINES AND BLAMEWORTHY INNOVATIONS OF THE KHARIJITES	253
13.2 The Definition of a Kharijite	254
13.3 THE TRIBULATION OF THE KHARIJITES AS ARTICULATED IN THE QUR'AN	257
13.3.1 The Kharijites Possess Deviation in Their Hearts	257
13.3.2 THE KHARIJITES ARE APOSTATES WHOSE FACES WILL BE DARKENED	259
13.3.3 The Kharijites Are People of Sedition and Ruin	260
13.3.4 The Kharijites Are at War with God and His Messenger 🏔 and Must Be Killed	261
13.3.5 The Kharijites Are Cursed	263
13.3.6 The Kharijites Presume That They Are Pious	264
13.4 THE APPEARANCE OF THE KHARIJITES DURING THE TIME OF THE PROPHET	266

XVIII | FATWA on TERRORISM AND SUICIDE BOMBINGS

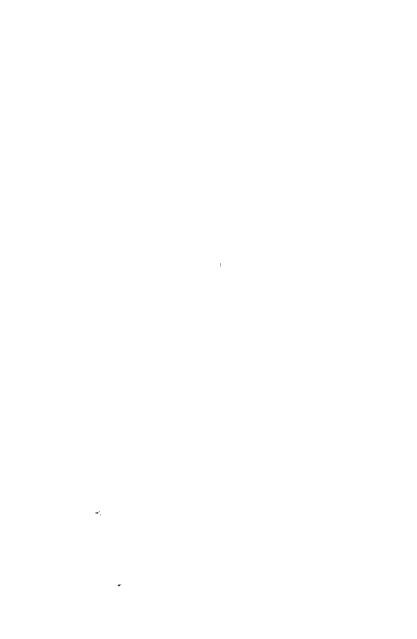
13.5 THE LEGACY OF THE KHARIJITES BEGAN WITH DISRESPECT TO THE PROPHET 🎄	267
13.6 THE IDEOLOGICAL DEVELOPMENT OF THE KHARIJITES DURING THE REIGN OF 'UTHMAN B. 'AFFAN &	268
13.7 THE KHARIJITES DURING THE REIGN OF 'ALI B. ABI TALIB &	270
13.8 THE BELIEFS OF THE KHARIJITES	279
13.9 THE PSYCHOLOGICAL TRAITS OF THE KHARIJITES	286
13.10 How the Kharijites Roused Religious Sentiments	289
13.11 THE BLAMEWORTHY RELIGIOUS INNOVATIONS OF THE KHARIJITES	293
13.12 The Research of Imam Abû Bakr al-Ājurrī	295
CHAPTER 14	
The Prophetic Sayings Regarding the Kharijite Terrorists	301
14.1 THE KHARIJITE TERRORISTS WILL APPEAR EXTREMISTS IN RELIGIOUS MATTERS	304
14.2 THE SLOGANS OF THE KHARIJITES WILL SEEM TRUE AND APPEALING TO THE COMMON MAN	309
14.3 THE KHARIJITES WILL BRAINWASH YOUNG PEOPLE AND USE THEM FOR TERRORIST ACTIVITIES	312
14.4 THE KHARIJITES WILL APPEAR FROM THE EAST	315
14.5 THE KHARIJITES WILL CONTINUE TO APPEAR UNTIL THE EMERGENCE OF THE ANTI-CHRIST	317
14.6 The Kharijites Will Exit from the Religion	320
14.7 THE KHARIJITES WILL BE THE DOGS OF HELL	321
14.8 The Outward Religious Appearance of the Kharijites Should Not Fool Anyone	322
14.9 The Kharijites are the Worst of Creation	325
14.10 A NOTEWORTHY POINT	328
Chapter 15	
The Prophetic Decree That the Turmoil of the Kharijites Must be Eliminated	329
15.1 It is Obligatory to Eliminate the Kharijites	331

15.2 IMPORTANT COMMENTARIES FROM THE IMAMS OF HADITH	335
15.3 THE SIGNIFICANCE OF COMPARING THE KHARIJITES TO THE PEOPLE OF 'ĀD AND THAMŪD	338
15.4 THE GREAT REWARD FOR FIGHTING THE KHARIJITES	343
15.5 A Comprehensive Description of the Kharijites and Their Signs	344
Chapter 16	
Mention of the Imams Who Charged the	351
Kharijites with Disbelief and Ordered Their	
Elimination	
16.1 The Two Positions of the Imams on the Disbelief of the Kharijites	356
16.2 THE FIRST POSITION: THE KHARIJITES ARE	357
Disbelievers	
16.2.1 Imam al-Bukhari's Position	358
16.2.2 Imam Ibn Jarīr al-Ṭabarī's Position	358
16.2.3 Imam Abū Ḥāmid al-Ghazāli's Position	360
16.2.4 Al-Qāḍī Abū Bakr Ibn al-ʿArabi's Position	360
16.2.5 Qāpī ʿIyāp's Position	
16.2.6 IMAM AL-QURȚUBI'S POSITION	363
16.2.7 SHAYKH IBN TAYMIYYA'S POSITION	365
16.2.8 IMAM TAQI AL-DIN AL-SUBKI'S POSITION	
16.2.9 Imam Abū Ishāq al-Shāţibī's Position	367
16.2.10 Imam Ibn al-Bazzāz al-Kurdarī's Position	369
16.2.11 IMAM BADR AL-DIN AL-'AYNI'S POSITION	370
16.2.12 Imam Aḥmad b. Muhammad al-Qastalānī's Position	370
16.2.13 Mullà 'Ali al-Qàri's Position	371
16.2.14 Shaykh 'Abd al-Ḥaqq al-Dihlawi's Position	371
16.2.15 Shāh 'Abd al-'Azīz al-Dihlawī's Position	372
16.2.16 Imam Ibn 'Ābidīn al-Shāmi's Position	372
16.2.17 Shaykh 'Abd al-Rahman Mubarakpuri's Position	372
16.3 THE SECOND POSITION: THE KHARIJITES ARE REBELS	373

XX | FATWA ON TERRORISM AND SUICIDE BOMBINGS

16.3.1 Imam Abū Ḥanīfa	374
16.3.2 Imam Shams al-Din al-Sarakhsi	375
16.3.3 Ibn Ḥajar al-ʿAsqalānī	375
16.3.4 Imam Aḥmad Riḍā Khān	377
16.4 The Rationale behind the Ruling to Eliminate the Kharijites	377
16.5 THE GREAT REWARD AWAITING THOSE WHO FIGHT THE KHARIJITES	379
16.6 The Views of Anwar Shāh Kāshmīrī and Shabbīr Aḥmad ʿUthmānī on the Kharijites	382
Chapter 17	
Today's Terrorists are Kharijites	385
17.1 Condemnation of Those Who Support the Kharijite Terrorists	391
17.2 An Important Juristic Issue: Labelling the Terrorists as Kharijites is Based on the Qur'ân and Sunna, Not Independent Reasoning [<i>Ijtihād</i>]	392
17.3 SUMMARY	394
CHAPTER 18	
The Peaceful Method of Social and Political Struggle	397
18.1 The Peaceful Method of Struggle in the Muslim State	399
18.2 THE QUR'ANIC COMMAND TO ENJOIN THE GOOD AND FORBID THE EVIL	399
18.3 THE COLLECTIVE EFFORT TO ENJOIN THE GOOD AND FORBID THE EVIL	400
18.4 Hadfth Reports Concerning the Act of Enjoining the Good and Forbidding the Evil	401
18.5 THE THREE LEVELS OF FORBIDDING THE EVIL	403
18.6 THE MEANING OF FORBIDDING EVIL PHYSICALLY	404
18.7 POLITICAL AND DEMOCRATIC STRUGGLE AGAINST INJUSTICE AND OPPRESSION	405
18.8 Muslims Living in Non-Muslim Countries	410

ı	CONTENTS XXI
18.9 Conclusion	413
Appendix: Scholars Cited in the Fatwa	415
Bibliography	429
Indices	441 \
Index of Qur'anic Verses	443
INDEX OF HADITH REPORTS AND NARRATIONS	449
General Index	461



FOREWORD

From the Iranian revolution to the 9/11 and 7/7 attacks, and continued acts of global terrorism by militants in the name of Islam, questions have been raised and charges made regarding the relationship of Islam to religious extremism, violence, suicide bombing and terrorism. A common question often raised is: Why haven't more Muslims, especially Muslim religious leaders, spoken out and aggressively condemned the attacks of 9/11 and subsequent acts of terrorism? In fact, Muslims have.

The relationship of Islam to extremism and terrorism, at home and abroad, remains critical in the twenty-first century. The primary causes of global terrorism, most often political and economic grievances, are sometimes obscured by extremists' use of religious language and symbolism. In recent decades, religion has proven a potent force, used not only by Muslims but by Jewish, Christian, Hindu and Buddhist terrorists to recruit, legitimate their actions and mobilize popular support. In the Muslim context, the Gallup World Poll, the largest and most systematic poll of Muslims in some 35 Muslim countries, from North Africa to Southeast Asia, representing the voices of a billion Muslims, has demonstrated that the majority of respondents who were asked in an open-ended question to explain their views of 9/11, those who condemned terrorism cited religious as well as humanitarian reasons. For example, 20 per cent of Kuwaitis who called the attacks 'completely unjustified' explained this by saying that terrorism was against the teachings of Islam. By contrast, not a single respondent who condoned the attacks used the Qur'an or Islam as justification. Instead, they relied on political rationalizations, for example, calling the United States an imperialist power or accusing it of wanting to control the world. The Gallup World Poll found that the vast majority of respondents (93 per cent) belong to the mainstream, who believe the 9/11 attacks were unjustified though many in this group, like many non-Muslims, hold critical views of US foreign policy. Seven per cent, though not necessarily engaged in violence, themselves condoned the 9/11 attacks. Contrary to the popular notion, in the Gallup World Poll those who belong to the politically radicalized group proved to be no more religious than the mainstream. Large majorities of all groups report that religion is an important part of their daily lives, and there is no significant difference in mosque attendance.

At the same time, from almost immediately after the attacks against the World Trade Center and the Pentagon, major Muslim religious leaders did speak out publically and continue to do so but, more often than not, the media has rarely covered this story, preferring to emphasize statements and threats from a dangerous and deadly minority of terrorists and preachers of hate. Yet a problem still remains. While the majority of Muslim leaders have condemned terrorism and suicide bombing in the name of Islam, some have regarded attacks against civilians and suicide bombing in Israel-Palestine as legitimate. Timothy Winter, for example, dismisses those who hold this view, such as Bin Laden and his right-hand man, Ayman al-Zawahiri, as unqualified, un-Islamic vigilantes who violate basic Islamic teachings.

Their proclamations ignore 14 centuries of Muslim scholarship.... [They use] lists of anti-American grievances and of Koranic quotations referring to early Muslim wars against Arab idolators.... All this amounts to an odd and extreme violation of the normal methods of Islamic scholarship.... An insurrectionist who kills noncombatants is guilty of baghy, 'armed transgression', a capital offence in Islamic law. A jihad can be proclaimed only by a properly constituted state; anything else is pure vigilantism.

Internationally prominent and influential religious scholar and leader, Yusuf Qaradawi and others issued fatwas condemning the 9/11 attacks. Qaradawi on September 12, 2001 issued a fatwa, declaring:

. •

Islam, the religion of tolerance, holds the human soul in high esteem, and considers the attack against innocent human beings a grave sin; this is backed by the Qur'anic verse which reads: 'Whoever kills a human being for other than manslaughter or corruption in the earth, it shall be as if he has killed all mankind, and who so ever saves the life of one, it shall be as if he had saved the life of all mankind'. [Qur'an 5:32]... I categorically go against a committed Muslim's embarking on such attacks.

But he and others have also regarded suicide bombing against Israelis in Israel-Palestine and American troops in Iraq as legitimate. And so the 'war of fatwas' has not only occurred between a majority of mainstream muftis and the fatwas issued by terrorists and their supporters but also existed between conflicting positions taken by muftis to whom many mainstream Muslims look for guidance.

Suicide attacks that target innocent civilians or non-combatants have spark sharp debate among prominent religious authorities in the Muslim world. Sheikh Ahmad Yassin, the late religious leader and founder of Hamas in Palestine, and Akram Sabri, the Grand Mufti of Jerusalem, along with many other Arab and Palestinian religious leaders, have argued that suicide bombing is necessary and justified to counter Israel's illegal occupation and overwhelming military power. Likewise, although Yusuf Qaradawi had condemned acts of terrorism and suicide bombings, in 1995, he was also one of the first religious scholars to issue a fatwa justifying such attacks in Israel, based on the premise Israelis were not civilians but combatants in a war of occupation waged against the Palestinians.

In sharp contrast, Abdul Aziz Al-Shaykh, Grand Mufti of Saudi Arabia, condemned all suicide bombing without exception as un-Islamic and forbidden by Islam. Shortly after 9/11, on September 15, 2001, he stated:

Enmity and hatred do not justify aggression or injustice. . . . Firstly: the recent developments in the United States

including hijacking planes, terrorizing innocent people and shedding blood, constitute a form of injustice that cannot be tolerated by Islam, which views them as gross crimes and sinful acts. Secondly: any Muslim who is aware of the teachings of his religion and adheres to the directives of the Holy Our'an and the sunnah Ithe teachings of the Prophet Muhammadl will never involve himself in such acts, because they will invoke the anger of God Almighty and lead to harm and corruption on earth. Thirdly: it is the duty of the Muslim ulema [religious scholars] to make facts clear in this respect, and to clarify that Islam never accepts such acts. Fourthly: the media, which try to defame Islam and Muslims in order to rally against them the feelings of various nations, should immediately stop this unacceptable and unjustifiable practice, since all reasonable and just people know that such biased accusations have nothing to do with Islam.

Two important initiatives of Muslim religious leaders to globally to address and delegitimate religious extremism and global terrorism are the Amman Message [2004-05] and 'A Common Word Between Us and You' [2007]. In the Amman Message religious leaders issued a statement on the nature of true Islam, declaring 'what Islam is and what it is not, and what actions represent it and what actions do not', emphasizing Islam's core values of compassion, mutual respect, acceptance and freedom of religion. The Amman Message intended to reject extremism as a deviation from Islamic beliefs and affirmed Islam's message of tolerance and humanity as a common ground among different faiths and peoples. They addressed the critical questions: (1) Who is a Muslim? (2) Is it permissible to declare someone an apostate [takfīr]? (3) Who has the right to issue fatwas? The opinions of these scholars then became the basis in July 2005 of a major international Islamic conference of two hundred Muslim scholars from over fifty countries. Based on fatwas provided by three of the most senior Sunni and Shia religious authorities, among them Sheikh Muhammad Savvid Tantawi of al-Azhar University.

Iraq's Grand Ayatollah Ali al-Sistani, and Yusuf Qaradawi, scholars addressed intra-Muslim conflict and violence and tried to delegitimate extremists who issue fatwas to justify their agendas.

Participants issued a final declaration that emphasized the underlying unity and validity of the three major branches of Islam [Sunni, Shia and Ibadi], forbade declarations of excommunication or apostasy [takfir] between Muslims and delineated the conditions for a valid fatwa. Over five hundred leading Muslim scholars worldwide unanimously endorsed the Amman Message. Thus for the first time in history a large number of diverse religious leaders and representatives of global Islam joined together to issue an authoritative statement.

In a second major document in October 2007, 138 prominent Muslim leaders [muftis, academics, intellectuals, government ministers and authors] from across the world sent another open letter, 'A Common Word Between Us and You', to the heads of the world's major Christian churches. This initiative emphasized the importance of Muslims and Christians, who make up over half of the world's population, working together for global peace on the basis of their shared 'Common Word', the very foundational principles of both faiths: love of the One God, and love of the neighbour.

The response to 'A Common Word' from Christian leaders and scholars was immediate and global. The archbishop of Canterbury, Pope Benedict XVI, Orthodox Patriarch Alexei II of Russia, the presiding bishop of the Lutheran World Federation, and many others acknowledged its importance, as did many individuals and groups who posted their comments and criticisms on the official website of 'A Common Word'. The number of Muslim leaders and scholars who signed the initiative increased from the original 138 to over 300 with more than 460 Islamic organizations and associations also endorsing it.

It is within this context that Dr Muhammad Tahir-ul-Qadri's Fatwa on Terrorism and Suicide Bombings has been welcomed as an important document. Tahir ul-Qadri's distinctive and voluminous fatwa is an exhaustive study of what the Qur'an and

XXVIII | FATWA ON TERRORISM AND SUICIDE BOMBINGS

Islamic sources have to say about the use of violence, terrorism and suicide bombing and is a categorical and unequivocal rejection of all acts of illegitimate violence, terrorism and every act of suicide bombing against all human beings, whether Muslim or non-Muslim. At the same time, he also distances himself from all, whether fellow prominent religious leaders or Muslim youth who have the potential to be radicalized, who would seek to justify and excuse suicide bombing and terrorism for any reason. As he noted in an interview with Christiane Amanpour, 'Terrorism and violence cannot be considered to be permissible in Islam on the basis of any excuse. . . . Any good intention or any mistake of foreign policy of any country or any pretext cannot legalize the act of terrorism'.

This important fatwa is a major contribution to Islamic discourse and teaching and to inter-religious understanding in the 21st century, offering a thought-provoking message and lesson for all who seek global peace and justice.

Prof John L. Esposito
Georgetown University, Washington DC

Introduction

When terrorists hijacked four commercial airliners on 11 September 2001 and succeeded in crashing three of them into civilian-filled buildings which symbolically projected American economic and military power, they conducted the worst act of violence on American soil since the Japanese attack on Pearl Harbor on 7 December 1941. With a death toll six times greater than history's worst terrorist attack, the dreadful events of 9/11 were so ingenious in their planning, audacious in their method and indiscriminate in their victims that it was clear to strategists everywhere that someone would have to pay for the evil and effrontery. The United States and several key allies responded swiftly by invading Afghanistan in pursuit of the perpetrators to punish the Taliban regime that seemed to be aiding them. Intended as a short and intense campaign, the military operation quickly swept the regime from power and ushered in what the Coalition called a new beginning for Afghanistan; with human rights, the rule of law and equitable and representative governance. For reasons still questioned and debated, the Coalition felt compelled in 2003 to invade Iraq in order to replace the government led by Saddam Hussein with a government sharing the values of that sought in Afghanistan. The invasion of Iraq degenerated surprisingly quick into a costly and bloody counter-insurgency campaign. A resurgent Taliban resistance movement in Afghanistan soon came to resemble, and then outperform, the Iraqi insurgency.

The so-called 'War on Terror' has done little so far to enhance regional security, let alone restore a sense of peace to the world. Regardless of the injustice of the grievance that prompted the Coalition's military response, the invasion of Afghanistan and especially of Iraq proved highly controversial and divisive. Despite the fact that the 9/11 terrorists were themselves Muslims, the invasion of two Islamic lands seemed so unnecessary and

disproportionate to the world's 1.6 billion Muslims (and a vast number of non-Muslims) that the Coalition inadvertently drove a deep wedge between its member nations and virtually the entire Muslim world. Not only did these campaigns seem to most Muslims to be unwarranted and excessive, but they also seemed to be aimed at making all Muslims pay for the misdeeds of a few. Rather than inhibit terrorism, some commentators argue that the campaigns have inflamed tensions to such a heightened state that terrorism has increased, not decreased, as a consequence.

As a scholar of war and strategy I have often felt concerned throughout the last decade by the spiralling cycle of violence, punishment, increased violence, increased punishment and so on. With the benefit of hindsight I suspect most of the Western politicians and military leaders who sent their forces into Afghanistan and Iraq now wish they had adopted different strategies, or at least carried out the same strategies in different ways. Even without the benefit of hindsight it should have been clear in 2001 and 2003 that the pattern of military history would continue. From the beginning of recorded history every military occupation had given rise to a counter-occupation, usually characterised by asymmetric guerrilla warfare. Another lesson from history is that asymmetric insurgencies are routinely difficult, unpopular and lengthy affairs for the occupying states. We see this today.

We also see new trends in the types and occurrence rates of terrorist attacks that now plague the world and make governments and populations highly jittery. Although suicide bombing existed before 9/11, it did not become frequent and common amongst Muslim terrorists until afterwards. It has now become alarmingly popular amongst aggrieved young men and women in communities troubled by occupation or perceptions of unjust governance. This has of course deeply troubled many non-Muslims who worry that there may be something inherently violent within the faith of Islam itself.

I have watched gentle, inclusive, tolerant and peaceful Muslims condemn terrorist attacks and suicide bombings. Their religion, they say, is not inherently warlike or violent. It rests upon a code of human interaction that stresses equality, harmony and

the value of human dignity. I have felt tremendously proud at the condemnations of evil made by so many good Muslims. Yet I have also been acutely aware that, with terrorist attacks continuing unabated, their condemnations have not convinced all non-Muslims that Islam is a religion of peace, or persuaded those Muslims drawn to terrorism that they must not commit acts of evil, regardless of any perceived justification. Throughout this troubled decade of war and tension. I have watched numerous imams, shaykhs and clerics condemn terrorism as un-Islamic. I have felt relieved and comforted by their efforts to demonstrate that, according to the Our'an and the Sunna, acts of lethal violence committed outside of organised warfare between states (and directed by legitimate leaders) are unjust and therefore un-Islamic. I have also felt frustrated that so many of the scholars who have condemned terrorism and suicide bombings have lacked sufficient international credibility and eminence to prove influential throughout the world. Moreover, some scholars have strangely equivocated on issues. That is, they have developed confusing and occasionally inconsistent arguments relating to the motivations of the perpetrators that could, by not closing the door completely, unintentionally allow would-be terrorists to slip through the gap into sinful action.

In March 2010 I breathed a huge sigh of relief when I read that an internationally renowned Islamic scholar, recognised throughout the world as an authority on the Qur'ān and the Sunna, had issued a prodigiously researched fatwa which demonstrated from scrupulously reliable sources that terrorism and suicide bombings are so wickedly unjust and un-Islamic that their evil cannot be justified by recourse to discussions of intention. Regardless of intention, the evil act remains an evil act. I was struck by the fact that the scholar behind this fatwa, unlike any previously issued, is unquestionably a scholar of unimpeachable reputation whose almost four decades of meticulous research have produced scores of influential books.

His Eminence Shaykh-ul-Islam Dr Muhammad Tahir-ul-Qadri has emerged in recent decades as one of the world's foremost authorities on Islamic jurisprudence. In addition to many humanitarian activities, he founded and still heads Minhaj-ul-Quran, a broad-based international organisation with branches and centres in ninety countries which has a remarkably positive vision: to promote the well-being of all humans through religious moderation, accessible education, and dialogue based on mutual respect and cooperation instead of competition between the world's great faith communities. Make no mistake: Minhaj-ul-Quran promotes Islam globally. It merely aspires to do so in the manner of Islam's Beloved Prophet: through impeccable teachings that stress peace, patience, respect and tolerance.

The Shaykh's scholarship is remarkable. The fatwa rests upon a granite-solid foundation of research and references from the Qur'an, reliable Hadith of established provenance, opinions of the Beloved Prophet's Companions and the classical texts of Islamic scholarship that are widely accepted by all main schools of thought. I have pored over not only the exhaustive text of the fatwa, but also over its hundreds of footnotes. Carefully selected for their reliability and clarity, the citations are employed by the Shaykh with obvious and commendable scholarly concern for precision and accuracy and after all issues of truth, objectivity and bias have been carefully weighed on the scales of his mind. In selecting sources, building his case brick-by-brick and expressing his argument powerfully and clearly, he has demonstrated profoundly good judgment.

The power of Dr Tahir-ul-Qadri's argument stems from its completeness and comprehensiveness as well as from the fact that, for the first time in a fatwa, an internationally renowned scholar has left no stone unturned in his determination to demonstrate that there can be no possible justification for deliberate violence in the name of Islam outside of the context of organised warfare. This is itself only permissible when undertaken according to strict criteria based only on self-defence and adherence to justice. Dr Tahir-ul-Qadri categorically demonstrates with dependable scholarship that regardless of any claimed motives, however righteous they may seem, evil acts will remain evil. Indeed, the Shaykh demonstrates

that suicide bombings and other forms of terrorism are so unjust and wicked that they place the perpetrators outside of Islam. That is, these acts are the acts of unbelievers, not martyrs, and they will expose those who do them to the gravest likelihood of eternal punishment after death.

As a strategic thinker who studies and teaches on war, ethics and justice, I have worried for a decade about the unnecessary misunderstandings that seem to divide the world's communities and I have felt gnawing frustration that so few actions have eased tensions or reduced suspicions and hatreds. I genuinely believe that Shavkh-ul-Islam Dr Muhammad Tahir-ul-Oadri's marvellous fatwa should be read by everyone. It is the most important single work yet to appear that has any chance of explaining to the Islamic community what most Muslims intuitively believe but sometimes cannot adequately convey; the precise reasons why terrorism can never be condoned and must always be condemned. Dr Tahir-ul-Qadri's fatwa is also the most likely of all publications in recent years to convince any non-Muslim readers or observers that Islam advocates peace, love and harmony and decries all unjust violence. Most importantly, if we are able to get this fabulous fatwa into the hands of any misguided Muslims, it just might, God willing, prevent them from committing un-Islamic acts of barbarity in the name of a great religion of peace.

Dr Joel S. Hayward
Dean of the Royal Air Force College, Cranwell
Head of Air Power Studies, King's College London



PREFACE



The Horrendous onslaught of terrorism that has continued unabated in recent years has brought the Muslim Umma (nation) in general, and Pakistan in particular, into disrepute. The overwhelming majority of Muslims oppose and condemn't terrorism in unequivocal terms and are unwilling to accept it as even remotely related to Islam. However, a negligible—albeit highly visible and vocal—minority amongst them seems to openly approve of terrorism, and instead of opposing and condemning it, resorts to misleading and fallacious reasoning.

It may be conceded that the local, national and international factors underpinning global terrorism include the injustices inflicted against Muslims in certain areas, the apparent double standards displayed by the major state powers and their open-ended and the long-term military engagements in a number of countries under the pretext of combating terror. That said, the terrorists' recourse to violence and indiscriminate murder has become a routine affair, taking the form of suicide bombings against peaceful people, as well as bomb blasts directed towards mosques, shrines, educational institutions, bazaars, governmental buildings, trade centres, markets, security installations and other public places: heinous, inhuman and barbarous acts in their very essence.

The perpetrators of these crimes justify their actions in the name of jihad, and thus they distort, twist and confuse the sacred Islamic concept of jihad. This situation is causing some Muslims—amongst the youth in particular—to fall prey to doubts and reservations, resulting in confusion about the concept of jihad, because those who perpetrate these atrocities are self-professed Muslims. They and their cohorts practise Islamic rituals, perform acts of worship and display the outward forms of religiosity encapsulated in the Shariah (Islamic Sacred Law). This has put not only the common Muslims into a dilemma, but also a significant number of religious scholars and intellectuals. They are perturbed and curious to know the real Islamic stance

on the methods these individuals and groups have adopted to wreak their havoc.

Furthermore, international media consistently over-reports incidents of terrorism and extremism around the Muslim world, and is reluctant to highlight the positive and constructive aspects of Islam, its peaceful teachings and philanthropic philosophy and orientation. Moreover, they do not report the condemnation and opposition prevalent within Muslim communities towards extremists, militants and terrorists. Lumping both Islam and terrorism together has led only to negative consequences. The Western mind conjures up images of terrorism and extremism at the merest mention of the word Islam. This in turn leaves Westernbred and educated Muslim youth in a most difficult position. In fact, the present generation of young Muslims all over the Islamic world is falling victim to intellectual confusion and deterioration in the practical fields and in the domain of beliefs and religious tenets.

This precarious situation has led to damage on two levels: damage to Islam and the Muslims and damage to the Western world. The damage to Islam and the Muslim world is that many Muslim youth, unaware of the normative teachings of Islam, and under the influence of the media, erroneously believe that terrorism and extremism emanate from religious teachings and the attitudes of religious people. This misplaced thinking has alienated many of the youth from the religion, and has even led some of them to atheism or rejection of religion altogether. On the other hand, the danger threatening the Western world is from the governmental policies and subsequent stereotyping of Muslims, which provoke a negative response amongst some of the Muslim youth, who regard these as attacks against Islam and an organised conspiracy from certain influential circles in the Western world.

As a reaction, some youth are gradually becoming extreme and militant in their outlooks. Some of them are eschewing moderation and expressing hatred and desire for revenge, and ultimately becoming terrorists, or at the very least, adopting the terrorist worldview or being groomed for their nefarious designs. Thus,

such policies are instrumental in producing potential terrorist recruits and supporters, with no end in sight. Consequently, both the Muslim *Umma*, as well as humanity, are heading towards catastrophe.

Moreover, these circumstances are heightening tensions, and creating an atmosphere of mistrust between the Islamic and Western worlds. The upsurge in terrorism is paving the way for greater foreign interference in and pressure on the Muslim nation-states. This widening gulf is not only pushing humanity towards interfaith antagonism at the global level but also reducing the possibilities of peace, tolerance and mutual coexistence amongst the different societies in this rapidly shrinking and globalized world.

Under these dire circumstances, I thought it necessary to explain to the Western and Islamic worlds the proper Islamic stance on terrorism: in the light of the Qur'ān, the prophetic traditions (hadith) and classical books of jurisprudence and theology. The underlying purpose is to present this point of view to significant institutions of learning, important think tanks and influential opinion-making organisations around the world, so that both the Muslims and non-Muslims who entertain doubts and reservations about Islam are able to understand Islam's stance on terrorism more clearly.

The first part of this book explains the meaning of Islam and discusses its three categories: Islam (peace), Imān (faith) and Ihsān (spiritual excellence). These three words, literally and figuratively, represent peace, safety, mercy, tolerance, forbearance, love, kindness, benevolence and respect for humanity. Using Qur'ānic verses and prophetic traditions, it demonstrates that the killing of Muslims and the practice of terrorism against common people are not only unlawful and forbidden in Islam, but also represent a rejection of faith (kufr). Referencing the expositions and opinions of jurists and experts of Qur'ānic exegesis and hadith, it has established that virtually all of the learned Islamic authorities have held the same unanimous opinion about terrorism throughout the entire 1400-year history of Islam. The concluding part of this

book takes an account of the proper means of effecting a change in society and the correct way to redress wrongs, as well as the Muslim's responsibilities when he or she resides in a non-Muslim country.

Perhaps the most important aspect of this book is that it explains the ideology and mindset that pits one Muslim against another and leads to bloodshed in society. This mindset not only regards it permissible to kill schoolgirls and women in markets, but also considers these heinous acts a means of earning rewards and spiritual benefits in the Hereafter. What power or conviction rouses someone to kill people gathered in a mosque and causes him to believe that he will earn Paradise through wanton carnage? Why does a terrorist decide to end his own life-one of the greatest blessings of God-with his own hands through suicide bombing? How does he come to believe that by killing people through suicide bombing he will become a martyr and enter Paradise? These are the questions that spring to the mind of every person possessing common sense. In answering these questions, I have relied on historical facts which the Prophet & (may God bless him and grant him peace) himself foretold. The book offers a comprehensive analysis of the signs, beliefs and ideologies of the Kharijites-an extremist group that appeared in the Muslim community over one thousand years ago-and establishes that the terrorists of today are their modern offshoots.

An oft-repeated contention these days is that since foreign powers are aggressing against Muslim countries, including Pakistan, the so-called jihadi groups have thwarted them by launching the offensive and inflicting upon them devastating blows, and that, therefore, their actions—though incorrect—should not be reviled and condemned because their intention is to defend Islam. This is a flawed argument and a morally reprehensible position. I have addressed this contention, and explained that, in the light of the Qur'an and hadith, evil cannot become good under any circumstance, nor can oppression transform itself into virtue due to a good intention.

SOME IMPORTANT QUESTIONS

The heartbreaking and ghastly scenes of terrorism will no doubt disturb the minds of all decent and common folk around the world, and will prompt some perplexing questions that demand satisfactory answers.

QUESTION ONE

Is it lawful for a group or organization to use force to promote and implement its own doctrine and beliefs in the name of reforming others, presuming itself to be on the right path? Does Islam in any way allow the killing of people because of doctrinal differences, and does it permit the usurpation of their wealth and properties and the destruction of mosques, religious sites and shrines?

ANSWER

Islam is a religion of peace and safety and champions love and harmony in society. According to Islamic teachings, a Muslim is one from whose hands the lives and properties of all Muslims and non-Muslims remain safe. The sanctity of human life and its protection occupies a fundamental place in Islamic law. Taking anyone's life is an act that is forbidden and unlawful, and in some cases amounts to disbelief. These days, the terrorists who, in a futile attempt to impose their own ideas and beliefs, ruthlessly and indiscriminately, kill people in mosques, marketplaces, governmental offices and other public places, are in fact committing a clear act of disbelief. They are warned of a humiliating torment in this world and in the Hereafter.

Terrorism in its very essence symbolizes disbelief and is a rejection of what Islam stands for. When the forbidden element of suicide is added to it, its severity and gravity becomes even greater. Scores of Qur'anic verses and prophetic traditions prove that terrorism is unlawful in Islam and that it is an act of disbelief. This has been the opinion of many Islamic scholars through the 1400 years of Islamic history, including the eminent Imams of Qur'anic exegesis and hadith and the authorities on logic and jurisprudence.

Islam has kept the door of negotiation and discussion open to convince others by reasoning, instead of taking up arms to denounce the viewpoints of others and to enforce one's own opinion. Only the victims of ignorance, jealousy and malice take recourse to attacks against public. Islam declares them as rebels who will abide in Hell.

OUESTION TWO

What are the rights of the non-Muslim citizens of a Muslim state?

ANSWER

Islam not only guarantees the protection of the life, honour and property of Muslim citizens of an Islamic state, but also guarantees the equal protection of the life, honour and property of non-Muslim citizens, as well as those with whom it has entered into a peace treaty. The rights of non-Muslim citizens in an Islamic state are just as sacrosanct as those of Muslim citizens. There is no difference between them as human beings. That is why Islamic law metes out equal treatment to both parties in the matters of blood money and legal retribution (qiṣāṣ). Non-Muslims have complete personal and religious freedom in a Muslim society and their properties and places of worship also enjoy complete protection.

In addition to the non-Muslim citizens, even the ambassadors of non-Muslim countries and others working on diplomatic assignments have been guaranteed complete protection. Likewise, the protection of the lives and properties of non-Muslim traders is the responsibility of the Islamic state. Islam forbids the use of violence against peaceful and non-combatant citizens. Those who attack peaceful non-Muslim citizens, kidnap them for ransom and torture them mentally or physically, or keep them under unlawful custody are in fact committing major violations of Islamic teachings.

QUESTION THREE

Does Islam offer clear commands regarding the sanctity of human life? Is it lawful to kidnap and assassinate foreign delegates and peaceful non-Muslim citizens in order to avenge injustices and disrupt the non-Muslim global powers?

ANSWER

The importance Islam lays on the sanctity and dignity of human life can be gauged from the fact that it forbids indiscriminate killing even when Muslim armies are engaged in war against enemy troops. The killing of children, women, elderly people, religious leaders and traders is strictly prohibited. Similarly, those who surrender their arms, confine themselves to their homes and seek shelter cannot be killed. The general public must not be targeted, and likewise, places of worship, buildings, crops and even trees must not be destroyed.

On the one hand, there is a clear set of Islamic laws based on extreme discretion, and on the other hand, there are people who invoke the name of Islam to justify the indiscriminate and wanton killing of men, women and children everywhere. It is a pity that such barbaric people claim that their activities are jihad. In no way is it permissible to hold foreign delegates under unlawful custody and murder them and other peaceful non-Muslim citizens in retaliation for the interference, injustice and aggression of their countries. The one who commits these acts has no relation to Islam or the Prophet Muhammad ...

QUESTION FOUR

Is armed struggle permissible against Muslim rulers in order to remove their governments because of their un-Islamic policies, or to bring them to the right path or to force them to give up their impious activities? Is rebellion against the constitutional government and its authority Islamically mandated? What should be the legitimate way to change the rulers or make them mend their ways?

Answer

Islam is not merely a religion; it is a complete dīn, or code of life. It provides a complete set of principles for every aspect of life, and has also made arrangements for the protection of society as a whole. The rights and duties of state institutions have been clearly detailed. All citizens of a Muslim state are duty-bound to abide by its laws, rules and regulations. One of these principles

is that a Muslim state and society should be a paragon of peace and coexistence. For this reason, Islam strictly prohibits taking up arms against it, challenging its authority and declaring war against it. Islamic law considers such actions as rebellion. God forbid if such conditions are created, then it is the primary responsibility of the Islamic state to take urgent measures to decisively eliminate rebellion and terrorism so that no individual or group can dare destroy the harmony of society, ruin peace and shed blood. Islam holds the peace and tranquillity of society in general, and of the Muslim state in particular, so dear that it does not allow people to raise the banner of revolt in the name of confronting injustice. oppression and other vices committed by the ruling elite. The banner of rebellion against a Muslim state cannot be raised unless the rulers commit explicit, declared and unequivocal disbelief, and use force to prevent the performance of religious rituals, like prayer.

The evidence for the prohibition of armed rebellion is explicitly outlined in the Qur'an, the prophetic traditions and the expositions of the classical jurists. If reference is made to the noble Companions of the Prophet, their successors, as well as Imam Abū Ḥanīfa, Imam Mālik, Imam al-Shāfi'ī, Imam Aḥmad b. Ḥanbal and other leading jurists, consensus would approve to exist that it is totally forbidden to rebel against the Muslim state—and there is no difference of opinion between any schools of thought on this matter. Any armed rebellion that challenges the authority of the state is nothing but a civil war, a blatant act of terrorism and a clear act of strife. Under no circumstances can it be called jihad. As for the struggle to reform an impious Muslim ruler or state, that is not at all prohibited.

The prohibition of rebellion and armed struggle does not imply that an evil should not be called an evil and that no effort should be made to stop its spread or that the religious obligation to enjoin the good and forbid the evil should be abandoned. The act of upholding the truth and rejecting falsehood is mandatory for all Muslims, and seeking to reform society and fight off evil forces is a religious obligation. The adoption of all constitutional,

legal, political and democratic ways to reform the rulers and the system of governance and prevent them from the violation of human rights is not only lawful but a binding duty upon Muslims. Indeed, it is from the obligations of faith to strive at the individual and collective levels—through the appropriate means—for the establishment of truth, abolishment of terror and oppression and restoration of justice.

QUESTION FIVE

The sect of the Kharijites has left behind an indelible mark in the history of terrorism. The question arises: Who were the Kharijites? How are they judged in Islamic Revealed Law? Are the present-day terrorists a continuation of the Kharijites of old?

ANSWER

The Kharijites were rebels and apostates from Islam. Their initial appearance was during the lifetime of the Prophet Muhammad, and their intellectual growth and emergence took place during the caliphates of 'Uthmān b. 'Affān and 'Alī b. Abī Tālib . The Kharijites were so punctual and regular in the performance of religious rituals and acts of worship that they would appear more pious than the Companions of the Prophet. they were absolutely out of the fold of Islam.

The Kharijites regarded the killing of Muslims as lawful, rejected the Companions for their disagreement with them, and, with the slogan of 'there is no rule but for God', considered it lawful to wage armed struggle against 'Alī . The Kharijites were in fact the first terrorist group to challenge the authority of the Muslim state and raise the banner of armed struggle against it. The hadith texts clearly establish that the elements of the Kharijites will continue to emerge and reappear in every age.

The term Kharijite is not restricted to the group that took up arms against the Rightly Guided Caliphs, but it encompasses—from then until the Day of Judgement—every group and individual who possesses their attributes and beliefs and who commits terrorism in the name of jihad. Despite being compulsive and obsessive in

their performance of the outward religious rituals, the Kharijites are considered out of the fold of Islam for their mistaken and erroneous beliefs.

A Muslim state cannot be allowed to give them any concession in the name of dialogue, or stop military actions against them until they are eliminated—and this is according to the explicit instructions of the Prophet . The only time they can be spared is when they willingly lay down their arms, repent of their actions and yow to honour the authority of the Muslim state.

QUESTION SIX

What are the measures that a government should take to end terrorist activities and armed strife?

Answer

The government and the law enforcement agencies should, at the outset, remove all factors and stimuli that contribute to making the common man a victim of doubts regarding the impermissibility of terrorism as a method of change. The ringleaders and supporters of terrorism are able to snare impressionable youth and lead them to militancy due to these doubts and misgivings. They are easily able to groom them for terrorist activities by exploiting their emotions and sensibilities. The policies, events and circumstances the terrorist elements use as fuel for their evil agenda must be remedied and set right as a priority. This will certainly help eradicate the root causes of the spread of this plague. Similarly, as long as the world powers continually fail to attend to the real hardships of people and take note of their complaints, and until they abandon their deceptive policies, the restoration of real peace will remain a distant dream.

OUESTION SEVEN

Can the atrocities of terrorism be justified and deemed permissible if they are done with the intention of promoting Islam and securing the rights of the Muslims?

Answer

Even today the Kharijites invoke Islam and raise slogans to establish

the divine order, but all of their actions and steps constitute a clear violation of Islamic teachings. When the supporters of the Kharijites do not have a legal argument to defend their actions, they draw people's attention to the vices and corruption of the ruling elite and the oppression committed by foreign forces. By way of this moral equivocation, they attempt to justify unlawful murder. They are content in the belief that, although the terrorists are doing wrong, their intention is good and beyond reproach. This is a major intellectual faux pas, and many people, both educated and uneducated, suffer from this doubt. An evil act remains evil in all its forms; whether it is interpreted as injustice, this principle remains the same. Therefore, no forbidden action can ever become a virtuous and lawful deed due to the goodness of intention.

Killing the common people, engaging in oppression and behaving with cruelty and violence cannot become pardonable offenses due to the presence of a good intention or pious conviction. There is no place for deviation from this fundamental principle. Thus, this argument of the terrorists and their well-wishers is invalid as per the Islamic Sacred Law. Therefore, I begin my arguments with the clarification of the same issue: that an evil deed cannot transform into a pious deed due to a good intention from where it supposedly arises.

GOOD INTENTIONS DO NOT CHANGE VICES INTO VIRTUES

If a good intention gives rise to bloodshed and massacre, the question arises whether such tyranny and barbarism can be declared lawful on its basis. Some people think that, although suicide bombings are evil and the destruction of educational, training, industrial, commercial and welfare centres is a heinous crime, still the suicide bombers are doing these acts with good intentions and pious motives, and are therefore justified. They are justified—so the logic goes—as retaliation for foreign aggression against Muslims. They are carrying out a jihad, it is argued, and so they cannot be given any blame.

This brief discussion analyses this thought in the light of the Qur'an and Sunna. The Qur'an rejected the idol worship that was

carried out with the intention of attaining nearness to God and called it disbelief. The Qur'an says,

﴿ آلَا لِلَّهِ الدِّينُ الْحَالِمِنُ وَالَّذِينَ الْتَحَدُّواْ مِن دُونِهِ أَوْلِيَآءَ مَا نَعْبُدُهُمْ إِلَّا لِيَقْرَبُونَا إِلَى اللَّهِ زَلْفَى إِنَّ اللَّهَ يَحْكُمُ بَيْنَهُمْ فِي مَا هُمْ فِيهِ يَخْتَلِفُونَ إِنَّ اللَّهَ لَا يَهْدِى مَنْ هُوَ كَذِبُ كُفِّارٌ ﴾

'Listen, sincere devotion is only God's due. But those who take others as protectors besides God [say], "We only worship them in order that they may bring us nearer to God". Truly God will judge between them in that wherein they differ. But God guides not such as are liars and ingrates'."

When the idolaters of Mecca were asked why they worshipped idols, they said the idols would bring them closer to God. Their intention to attain closeness to God was good, but their idolworship was blasphemy and disbelief. Idolatry, therefore, cannot be justified because of good intentions.

Furthermore, the terrorists' claim that they are fighting injustice is rejected because they are shedding blood and spreading fear, and are not engaging in constructive work or reformation. God says,

﴿ وَمِنَ النَّاسِ مَن يُعْجِبُكَ قَوْلُهُ فِي الْحَيَوْةِ الذُّنْهِ وَيُشْهِدُ اللَّهَ عَلَىٰ مَا فِي قَلْبِهِ وَهُوَ اللَّهُ الْخِعْمَامِ. وَإِذَا تَوَلَّىٰ سَمَىٰ فِي الْأَرْضِ لِيَفْسِدَ فِيهَا وَيُهُلِكَ الْحَرْثَ وَالنَّسْل وَاللَّهُ لَا يُحِبُ الْفَسَادَ. وَإِذَا قِيلَ لَهُ التِّي اللَّهَ أَخَذَتُهُ الْعِرَّةُ بِالْإِلْمِ فَحَسْبُهُ جَهَنَّمُ وَلَيْسَ الْمِهَادُ﴾

'And amongst people there is he whose conversation seems pleasing to you in the life of the world, and he calls God to bear witness to that which is in his heart, but in truth he-is the most quarrelsome of opponents. And when he turns away, he runs about in the land to cause corruption and destroy crops and life, and God does not like corruption. And when it is said to him, "Fear God",

¹ Qur'ān 39:3.

his arrogance leads him to more sins. Hell is, therefore, sufficient for him. And that is indeed an evil abode'. I

These verses explain that many people will speak with seemingly pleasant words and employ superficial arguments. They will swear on their good intentions, and declare God witness to their noble objectives and pious aims. Despite their assertions and claims, however, God declared them miscreants and wrongdoers who will face the torment of Hell. Their swearing on their intentions has been refuted because they are committing wanton acts of violence, strife and terrorism. Their crimes, therefore, cannot be forgiven due to their 'good' intentions and noble designs that they declare on oath. This is a basic principle drawn from the Qur'ān and the Shariah. Another Qur'ānic verse explains the same point:

'And when it is said to them, "Do not spread corruption in the land", they say, "We are only reformers!" Truly, it is they who spread corruption but they perceive it not'.

Here again, the corrupt and criminal mentality of terrorists is described. This verse explains that the offenders never regard their activity as disruption, violence and strife; rather, they may call it jihad and reconstruction and reformation. They presume that the criminal activities they engage in are for the greater good of society. Today's tragedy is that terrorists, murderers and rioters try to prove—claiming to uphold the banner of Islam and national interests—that their criminal, rebellious, brutal and blasphemous activities are justified reactions to foreign aggression.

They should know that, just as a good intention can never justify an unlawful act, and just as pious motives can never transform blasphemy into righteousness, similarly, the intention to perform jihad can never justify unlawful violence or make terrorism lawful. The intention to protect Islam, defend it against

¹ Ibid., 2:204-206.

² Ibid., 2:11-12.

foreign aggression and avenge the wrongs and excesses inflicted upon the Muslim *Umma* is one thing, but the brutal mass murder of peaceful citizens, the destruction of property and the ruthless target killings are altogether different. The former can never prove the latter lawful; the two have no relation to one another. Terrorism, carnage and mass destruction can neither be justified in the name of enforcing Islamic commands, nor can they be exceptions to the rule or pardonable.

An in-depth study of the Qur'an and hadith literature clearly establishes that Islam makes the realisation of lawful objectives conditional upon lawful means only, and decrees that the attainment of noble aims can only be through noble methods. A sacred goal can never be achieved by following an evil and criminal path. Constructing a mosque, for example, is a pious act, but it cannot be funded by robbing a bank or through ill-gotten means. The objectives of mercy cannot be achieved through cruelty and oppression, and the designs of a religious person cannot be materialised by adopting shameful methods. Fair is fair and foul is foul; it is Satan who says, 'Fair is foul and foul is fair'. This illustrates the majesty and purity of Islam, which has purified and reformed both the destination and its path and has made both objective and method pure and upright.

Those who base their argument on the famous hadith, 'Actions are judged according to intentions', in order to justify their brutal ways and cursed means, make false and heretic claims. They cannot set a wrong thing right. This hadith speaks only about those actions that are proven pious, permissible and lawful. Their acceptability has been based on the soundness of intention; if the intention is pure, they will be accepted, and if not, they will be rejected. If the intention is corrupt, or if it does not exist, the actions will not be considered acts of worship, despite their apparent righteous value. But the actions that are from the start forbidden, unjust, unlawful and blasphemous cannot be made permissible or lawful by good intentions.

This is such a crucial Islamic principle that not one of the Companions, pious predecessors, Imams and authorities of hadith

and Qur'anic exegesis has opposed it to date. Some scholars have also interpreted the hadith, 'Actions are judged according to intentions', saying that actions take shape according to their intentions. So a terrorist's actions speak of his intentions: his killings and destructive activities prove his foul intentions and condemnable ideas and beliefs. His heinous actions cannot stem from pious intentions and beliefs. The bloodshed he causes only proves his internal cruelty and lack of mercy. It is, therefore, evident that whatever false implications and foul justifications these rebels, criminals and brutes may put forth to prove their atrocities as acts of jihad, they have nothing to do with the teachings of Islam whatsoever.

The Qur'an has vividly described them as:

'Those whose entire struggle is wasted in the life of this world, but they presume they are doing good'.

I also regard it my fundamental duty to inform the respected readers that I am writing this book solely for the sake of Islam's dignity and in service to humanity. This book has not been written to condone or approve of the unpopular and unwise policies of global powers, nor does it seek to justify the wrong policies and actions of any government, including that of Pakistan. I neither seek the pleasure of any government, nor the tribute or appreciation from any international power or organisation. As always, I have taken the initiative to perform this task as a part of my religious obligation. The objective is to wash off the stain of terrorism from Islam, to familiarise the Muslims with the real teachings of the Qur'an and Sunna (the Prophet's way) and to attempt to prevent human suffering from the flames of terrorism.

May God bless this endeavour with His benevolent acceptance through the means of His Beloved Messenger, Muhammad, may God bless him and grant him peace!

Muhammad Tahir-ul-Qadri

¹ Ibid., 18:104.



CHAPTER I

THE MEANING OF ISLAM



T.T ISLAM AS PEACE AND SECURITY

Islam is a religion of peace and security, and it urges others to pursue the path of peace and protection. The most significant proof of this is that God has named it as Islam. The word Islam is derived from the Arabic word salama or salima. It means peace, security, safety and protection. As for its literal meaning, Islam denotes absolute peace. As a religion, it is peace incarnate. It encourages humankind to be moderate, peaceful, kind, balanced, tolerant, patient and forbearing.

If we look for the definition of a Muslim or mu'min [believer] mentioned in the Qur'an and hadith, it will become evident that, in the sight of God and His Messenger , a Muslim is someone who embodies peace and security, and a mu'min is the one who is endowed with love, affection, peace, tranquillity, tolerance and coexistence, and upholds the cause of human dignity. Everyone is protected and safe from him at all levels, individually and collectively.

1.2 THE THREE LEVELS OF ISLAM

The Messenger of God described three levels of religion: Islām, Imān and Iḥṣān. These are the levels of the religion applicable to actions, beliefs and inner spiritual states. All Islamic teachings revolve around these three levels, as proven by an agreed upon hadith.²

It is reported that 'Umar b. al-Khattāb & said:

God says: 'Truly, Islam is the only din [religion] in God's sight' [Qur'an 3:19]; 'And I have chosen for you Islam as a din' [Qur'an 5:3]; and 'He [God] has named you Muslims in the previous [Books] as well as in this [Qur'an]' [Qur'an 22:78].

² A hadith that is 'agreed upon' is a rigorously authentic narration reported

النبي على الإسلام، فقال رَسُولُ اللهِ على الإسلام أن تشهد أن لا إله إلا الله، وأن أخيري عن الإسلام، فقال رَسُولُ اللهِ على الإسلام أن تشهد أن لا إله إلا الله، وأن محمدًا رَسُولُ اللهِ وَتَعِيم المسلاة، وَتَوْلِي الزَّكَاة، وَتَصُومَ رَمَعَانَ، وَتَحْجُ الْبَيْتِ إِن اسْتَطَعْتِ إِلَيْهِ سَبِيلًا. قال: مَدَفْت. قال: فَعَجِبنا لهُ يَسْأَلُهُ وَيُصَدَقُهُا قال: فَاخْرِني عَنِ الإَيْمَانِ. قَالَ: فَاخْرِني عَنِ الإَيْمَانِ. قَالَ: أَنْ تُولِينَ بِاللهِ، وَمَلايكِتِه، وَتُحْبِه، وَرُسُلِه، وَالْيَوْمِ الآخِر، وَتُولِينَ بِاللهِ، وَمَلايكِتِه، وَتُحْبِه، وَرُسُلِه، وَالْيَوْمِ الآخِر، وَتُولِينَ عَنِ الإِحْسَانِ. قال: أَنْ تَعْبَدُ الله كَالْتَكَ تَرَاهُ، فَإِنْ لَمْ تَكُنْ تَرَاهُ فِإِنْهُ يَرَاك. قال: فَأَخْرِنِي عَنِ السَّاعَةِ. قال: مَا تَعْبَدُ الله الْمَسَنَوْلُ عَنْهَا بِأَعْلَمَ مِنَ السَّائِلِ. قَالْ: فَأَخْرِنِي عَنِ السَّاعَةِ. قال: مَا تَعْبَدُ الله وَاللهِ وَالْمَوْلُ فِي البُنْيَانِ. ثُمُ الطَلَق، المُسْتَوْلُ عَنْهَا بِأَعْلَمَ مِنَ السَّائِلِ، قَالَ الله وَرَسُولُهُ أَعْلَمُ مِنَ السَّائِلِ، قَلْ الله وَرَسُولُهُ أَعْلَمُ وَلَهُ عَنْهُ عَلَمْ الله وَرَسُولُهُ أَعْلَمُ مُنَالِئُهُ عَنْهُ وَاللهُ وَيَسُولُونَ فِي الْبُنْيَانِ. ثُمُ الطَلَقَ، فَالَ: عَلَمْ عَنْهُ الله وَرَسُولُهُ أَعْلُمُ وَلَهُ عَنْهُ وَاللّهُ وَرَسُولُهُ أَعْلَمُ مُنْهُ اللهُ وَيَسُولُونَ فِي الْبُنْيَانِ لُولُهُ عَنْهُ اللهُ وَرَسُولُهُ أَعْلَمُ مُنْهُ اللهُ وَيُسْتَوْلُ عَنْهُ اللهُ وَيُعْلِمُ اللهُ وَيَسُولُونَ فِي الْمُنْهُ اللهُ وَرَسُولُهُ أَعْلَمُ اللهُ وَاللهُ وَاللهُ وَاللهُ اللهُ وَلْهُ عَلْهُ وَاللهُ وَاللّهُ وَاللّهُ وَاللّهُ وَاللّهُ اللهُ وَاللّهُ وَاللّهُ وَاللّهُ وَاللّهُ وَاللّهُ وَاللّهُ وَلِهُ عَلَى اللّهُ وَاللّهُ وَاللّهُ وَاللّهُ وَلَهُ وَاللّهُ وَلِهُ وَلَهُ وَاللّهُ وَاللّهُ وَاللّهُ وَلِهُ وَاللّهُ وَلَهُ وَاللّهُ وَاللّهُ وَلَلْهُ وَلَهُ وَلَا اللهُ وَلِهُ الللهُ وَلِهُ وَاللّهُ وَلِهُ وَلِلْهُ وَلِهُ وَلِلْهُ وَلِهُ وَل

'One day as we were sitting with the Messenger of God A, there appeared before us a man whose clothes were exceedingly white and whose hair was exceedingly black. No signs of travel were seen upon him and none of us knew him. He walked up and sat down by the Prophet . Resting his knees against his and placing the palms of his hands on his thighs, he said, "O Muhammad! Tell me about Islam". The Messenger A said, "Islam is to bear witness that there is no god but God, and that Muhammad is the Messenger of God, and to perform the prayers, to give the alms, to fast in Ramadan and to make the pilgrimage to the House [the Ka'ba in Mecca] if you are able". The man said, "You have spoken truthfully". We were amazed at him for asking the Prophet & a question and then saying that he had spoken truthfully. Then he said, "Then tell me about Iman". The Messenger & said, "Iman is to believe in God, His Angels, His Books, His

by the two most famous scholars of hadith traditions: Imam Muhammad b. Ismā'īl al-Bukhārī, and Imam Muslim b. al-Ḥajjāj al-Nīshābūrī. Ed.

Messengers, and the Last Day and to believe in Divine destiny, both its good and evil". He said, "You have spoken truthfully". Then he said, "Tell me about Ihsan". The Messenger & said, "It is to worship God as though you see Him, and if you don't see Him, know that He sees vou". He said. "So tell me about the Final Hour". The Messenger & said, "The one asked about it knows no better than the one asking". He said, "So tell me about its signs". The Messenger & said, "That the slave-girl will give birth to her mistress and that you will see the barefooted, naked and destitute herdsmen competing in the construction of tall buildings". Then the man left and I stayed for a time. The Prophet then said, "O 'Umar! Do you know who the questioner was?" I said, "God and His Messenger know best". He & said, "It was Gabriel, who came to you to teach you your religion".'1

Replying to Angel Gabriel's question about Islam, the Prophet described the basic practices of Islam; when asked about Iman, he described the basic tenets of belief in the din; and when asked about Ihsan, he described the inner states of the heart and the spiritual experiences pertaining to the din, which bring about the purification of the inner self, spiritual elevation and stability and strength in character and personality.

The details of these three levels of the dīn have been elucidated in a number of hadith reports. Similarly, God Most High revealed

¹ Narrated by al-Bukhārī in al-Ṣaḥīh: Kstāb al-Īmān [The Book of Faith], chapter: 'On Gabriel's Asking the Prophet about Imān, Islam, Ihsān and Knowledge of the Final Hour', 1:27 \$50; Muslim in Kitāb al-Īmān [The Book of Faith], chapter: 'The Explanation of Imān, Islam and Ihsān', 1:36 \$8-9; al-Tirmidhī in al-Sunan: Kstāb al-Imān [The Book of Faith], chapter: 'What Has Come to Us Regarding Jibrīl's Description of Faith and Islam to the Prophet ', 5:6 \$2601; Abū Dāwūd in al-Sunan: Kstāb al-Sunna [The Book of the Sunna], chapter: 'On the Divine Decree', 4:222 \$4695; al-Nasā'ī in al-Sunan: Kstāb al-Imān wa sharā's'uhu [The Book of Faith and Its Revealed Laws], chapter: 'The Description of Islam', 8:97 \$4990; and Ibn Mājah in the introduction to al-Sunan, section: 'Concerning Faith', 1:24 \$63.

details about these levels on different occasions in the Qur'an. As for the first level, God says:

'Today I have perfected your din for you, and have completed My Blessing upon you, and have chosen for you Islam as a din'. I

Regarding the second level, God says:

'The Bedouins say, "We have believed". Say, "You have not believed. Rather say, 'We have accepted Islam', for true belief has not yet entered your hearts".'2

And regarding the third level, God says:

'And with regard to dīn, who can be better than he who submits his whole being entirely to God while he also observes spiritual excellence?'

Elsewhere in the Qur'an, God Most High mentions these three levels together. He says:

'There is no sin on those who believe [have Imān] and do rightgous deeds with regard to what they have eaten [of the unlawful things before the prohibitions came],

¹ Our'an 5:3.

² Ibid., 49:14.

³ Ibid., 4:125. ---

so long as they observed piety and possessed firm faith and practised pious deeds consistently, and later, [after the revelation of the prohibitions] they desisted from [unlawful things] and believed [with certainty regarding their unlawfulness], became people of piety and [finally] rose to the station of those of spiritual excellence [Ihsān]. And God loves those who observe spiritual excellence.'.

If we consider the general meaning of the word Islam, we see that it refers to the dīn as a whole; however, if we reflect on a particular meaning of the word, we see that it denotes the basic—although significant—practices known as the 'pillars of Islam'. It is these pillars that shape the Muslim's individual and collective life into a practical mould. In the same way, the teachings of the religion that pertain to actions and commands fall under Islam. However, the teachings that pertain to beliefs and doctrine fall under Imān. They describe the theological aspect of human life. Consequently, the teachings of Islam bless us with lofty inner feelings of connection to God, and the spiritual states of heart converge on the third level of dīn, Ihsān. These teachings purify Muslims morally and spiritually. The mu'min's heart and inner self is developed and elevated, which is the main objective of Islam and Imān.

Let us now discuss these three levels, one by one, and explain their literal and lexical meanings. This will, in turn, demonstrate that these three levels imply peace, security and protection.

1.3 ON THE LITERAL MEANING OF THE WORD ISLAM

The word *Islam* is derived from the root words salima, yaslamu, salāman and salāmatan, as well as other variations. God says:

'O believers! Enter Islam (Ar. silm) perfectly and wholly'.2

¹ Ibid., 5:93.

² Ibid., 2:208.

The famous philologist, Abū 'Amr al-Shaybānī, interpreted the word silm as Islam.

The Prophet 🗥 said,

'The Muslim is he from whose tongue and hand the Muslims are safe'.'

Embracing Islam, therefore, means to enter the door of peace and protection, until people become safe from his harm and evil. According to Abū Manşūr Muhammad al-Azharī, Abū Isḥāq al-Zujāj narrated from Muhammad b. Yazīd in Tahdhīb al-lugha who interpreted the Qur'ānic verse,

'Say, "Peace be upon you!" Your Lord has made Mercy incumbent upon Himself'.2

In Arabic, the word salām has four meanings. Firstly, salām is the verbal noun of salima (to be free of blemish). Secondly, it is the plural form of salāma (safety and security). Thirdly, it is one of the beautiful names of Almighty God (al-Salām, the Flawless). And fourthly, it is a tree which is shady and evergreen.

According to al-Zujāj, salām comes from sallama, which denotes supplication for man to remain safe and secure from hardships and troubles. It implies deliverance from miseries and disasters.³

¹ Narrated by al-Bukhārī in al-Ṣahīh: Kitāb al-Imān [The Book of Faith], chapter: 'The Muslim is He from Whose Tongue and Hand the Muslims Are Safe', 1:13 \$10; Muslim in al-Ṣahīh: Kitāb al-Imān [The Book of Faith], chapter: 'Explaining the Ranks of Virtue within Islam and which of its Affairs are Most Virtuous', 1:65 \$41; al-Tirmidhī in al-Sunan: Kitāb al-Imān [The Book of Faith], chapter: 'What Has Come to Us Concerning the Fact That the Muslim is He from Whose Tongue and Hand the Muslims Are Safe', 5:17 \$2627; Ahmad b. Hanbal in al-Musnad, 3:440 \$15673; and Ibn Ḥibbān in al-Ṣahīh, 1:406 \$180.

² Qur'ān 6:54.

³ Muhammad Al-Azharī, Tahdhīb al-lugha, 4:292.

Paradise has also been named the Abode of Peace (Dar al-Salām) because it will be free from death and extinction. No one dwelling in it will be in danger or exposed to any malady. It will be a home exclusively permeated with calmness and tranquillity, pleasure and protection, peace and security. No fear, grief, pain or remorse will touch any of its inhabitants. God says,

'For them is the home of peace and security with their Lord'.1

God also says,

'And God calls towards the Abode of Peace'.2

Dār al-Salām means the abode of salāma (safety and protection), because true safety will be available only in Paradise. It is blessed with permanence that will not face extinction. It provides honour that will not see any humiliation and its health has no decay. According to Imam al-Aşfahānī, salām and salāma denote freedom from all known and hidden troubles. God says,

'But he alone [will enter Paradise] who appears before God with a sound [salīm] heart [protected from evils]'.3

The sound heart is a heart free of tyranny and violence. Security, therefore, is related to the inner self. When God says regarding the heifer in the story of the Children of Israel,

'Sound without any blemish',4

¹ Qur'ān-6:127.

² Ibid., 10:25.

³ Ibid., 26:89.

⁴ Ibid., 2:71.

the soundness implied is physical and external. In other verses, peace, security and protection have been mentioned:

'But God saved [sallam]';"

'Enter them with peace [bi salām] and security';2

'Get down [from the Ark] with peace [bi salām] and blessings from Us';³

'By this God guides those who seek His pleasure to the paths of peace [subul al-salām]';4

'When the ignorant people say to them something [with bad words] they reply back with mild words and gentleness [salāman]';5

"Peace [be upon you]!" This greeting will be conveyed [to them] from the Ever-Merciful Lord';6

'Peace be upon you as a reward for your patience'.7

I Ibid., 8:43.

² Ibid., 15:46.

³ Ibid., 11:48.

⁴ Ibid., 5:16.

⁵ Ibid., 25:63.

⁶ Ibid., 36:58.

⁷ Ibid., 13:24.

These verses provide the proof for the first lexical meaning of Islam. They also illustrate that every noun or verb derived from Islam, and every derivative or word conjugated from it, essentially denotes peace, protection, security and safety.

God Most High has also mentioned al-Salām as one of His beautiful names, for He is flawless and free of any shortcoming. Due to its being one of God's beautiful names, this word reflects all the shades of peace, beauty, betterment and goodness. It totally negates all forms of mischief and strife as well. For this reason, the salutation of peace is a distinctive greeting between Muslims, which identifies them as such. Whenever two Muslims meet, they invoke peace on each other, wish security and safety and deliver the message of calmness and tranquillity. They also wish each other protection from every evil, mischief, violence and strife. The ritual prayer performed by Muslims is completed by turning the face right and left, invoking peace on all the Muslims.

Furthermore, a green tree is another meaning of the word Islam. The two famous Arabic lexicons, Lisān al-'Arab and Tahdhīb allugha, quote the saying of Imam Abū Ḥanīfa:

'Al-Salām is a magnificent evergreen tree'.1

The Imams of the Arabic lexicons maintain that calling an evergreen tree al-salām is based on the linguistic meaning of the word. It is a tree safe from decay and the vicissitudes of autumn, so it is called al-salām. According to Ibn Barrī, this tree is called salm and salām is its plural form. It is so named because it is evergreen and shady. This implies that everything providing shade, benefit, peace and security will be conceived as silm, salm and salām. Moreover, a ladder is called sullam in Arabic. According to al-Zujāj,

'A ladder is called sullam, because it takes one safe and

Ibn Manzūr al-Afrīgī, Lisān al-Arab, 12:297.

sound wherever one wants to climb'. I

All other methods of climbing without a ladder or staircase, like jumping, would end up in some fall, injury or even loss of life. However, by taking a ladder to climb, one becomes safe and protected from threats and dangers. As it provides safety and protection, a ladder is called *sullam* in Arabic. There is a mention of a ladder in the Qur'an as well:

'[They should seek] some ladder [climbing up] to heaven'.2

According to Ibn Manzūr, the author of Lisān al-'Arab,

السُّلُمُ هُوَ الدُّلُوُ الْعَظِيْمَةُ.

'Al-Sullam means a large bucket'.3

A bucket is a means of fetching water from a well, and before the advent of machines, people would draw water from wells by means of buckets. But why is a bucket called al-sullam? It is because people quench their thirst by drawing water with its help. The needy fetch water and take it home to store for use. In the old days, people used it for water required for ablution and bathing. Due to its usefulness and life-giving utility, it has been given the name al-sullam. Water is the fountainhead of life, irrigation, coolness, calm, pleasantness, vegetation and greenery. The means of fetching it, therefore, is called al-sullam because it is a means of peace and survival.

The lexical and literal meanings of the word Islam illustrate that it inherently means peace, security, protection, safety and safeguard. In other words, Islam implies safety from violence and killing and also means protection and security. There is no room in Islam for strife, mass murder, destruction, anarchy and chaos. That is why all its aspects negate extremism and terrorism.

¹ Ibid., 12:299.

² Qur'an 6:35.

³ Ibn Manzūr al-Afrīqī, Lisān al-'Arab, 12:201.

Consequently, it guarantees prosperity, betterment, positive progress, peace, security, protection and development. Therefore, a person exhibiting conduct contrary to the basic meaning of the word Islam has no link at all with dīn.

In addition to the Qur'anic verses, there are prophetic traditions that emphasize the lexical meaning of Islam. 'Abd Allah b. 'Amr b. al-'Aş & reported that the Messenger of God & said,

'The Muslim is he from whose tongue and hand the Muslims are safe'.'

Abū Mūsā al-Ash'arī & also said, 'I asked the Prophet ,, "What kind of [person's] Islam is best?" He said,

"The one from whose tongue and hand the Muslims are safe!".'2

Through the reply of the Prophet in this hadith, he has removed the objection of some people, who question, 'Whose Islam should we accept and whose Islam should we reject?' He

Narrated by al-Bukhārī in al-Ṣahīḥ: Kitāb al-Imān [The Book of Faith], chapter: 'The Muslim is He from Whose Tongue and Hand the Muslims Are Safe', 1:13 \$10; Muslim in al-Ṣahīḥ: Kitāb al-Imān [The Book of Faith], chapter: 'Explaining the Ranks of Virtue within Islam and which of its Affairs are Most Virtuous', 1:65 \$41; al-Tirmidhī in al-Sunan: Kitāb al-Imān [The Book of Faith], chapter: 'What Has Come to Us Concerning the Fact That the Muslim is He from Whose Tongue and Hand the Muslims Are Safe', 5:17 \$2627; Ahmad b. Ḥanbal in al-Musnad, 3:440 \$15673; and Ibn Ḥibbān in al-Ṣaḥīḥ, 1:406 \$180.

² Narrated by al-Bukharī in al-Ṣaḥīḥ: Kitāb al-Imān [The Book of Faith], chapter: 'The Muslim is He from Whose Tongue and Hand the Muslims Are Safe', 1:13 \$10; Muslim in al-Ṣaḥīḥ: Kitāb al-Imān [The Book of Faith], chapter: 'Explaining the Ranks of Virtue within Islam and which of its Affairs are Most Virtuous', 1:65 \$41; Ahmad b. Hanbal in al-Musnad, 3:372 \$15037, 2:112 \$16027; Ibn Hibbān in al-Ṣaḥīḥ, 11:579 \$5176; Ibn Abī Shayba in al-Muṣannaf, 8:320 \$26497; al-Ḥākim in al-Mustadrak, 1:55 \$26; and 'Abd al-Razzāq in al-Muṣannaf, 11:127 \$20107.

provided a crystal clear vision of Islam and said that the best Islam is of those from whose hands and tongues all humans are safe. They uphold the banner of peaceful coexistence, love, tolerance, moderation, forbearance and interfaith harmony. Conversely, if someone becomes an extremist and adopts hatred, prejudice, disunity, chaos and coercion, and kills peaceful citizens as a means to preach and enforce din, his claim to be a Muslim cannot be accepted—even if he appears outwardly as a devout worshipper—because the basic criterion given by the Prophet to judge true Islam is peace and security.

'Abd Allāh b. 'Umar & said, 'A man asked the Messenger of God , "What kind of Islam is best?" The Prophet & replied,

"That you serve food and give the salutation of peace to the one whom you know and the one whom you do not know".'

According to Jābir من the Messenger of God من said,

'The most complete of the believers is he from whose tongue and hand the Muslims are safe'.2

According to Ibn 'Umar & the Messenger of God هم said, المُشلِمُ أَخُو الْمُشلِمِ. لَا يَظْلِمُهُ وَلَا يُسْلِمُهُ، مَنْ كَانَ فِي حَاجَةِ أَخِيْهِ كَانَ اللهُ فِي حَاجَةِ، أَخِيْهِ كَانَ اللهُ فِي حَاجَةِ، وَمَنْ خَاجَةِهِ، وَمَنْ فَرَجَ اللهُ عَنْهُ كُرْبَةً مِنْ كُرْبَاتٍ يَوْمِ الْقِيَامَةِ، وَمَنْ سَعَرَهُ اللهُ يَوْمَ الْقِيَامَةِ.

Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kitāb al-Īmān [The Book of Faith], chapter: 'Serving Food is a Part of Islam', 1:13 §12, and in chapter: 'Spreading Salutations of Peace is from Islam', 1:19 §28; Muslim in al-Ṣaḥīḥ: Kitāb al-Īmān [The Book of Faith], chapter: 'Explaining the Ranks of Virtue within Islam and which of its Affairs Entail Half of It', 1:65 §39.

² Narrated by al-Hākim in al-Mustadrak, 1:54 \$23; and Ibn Ḥibbān in al-Ṣahīh, 1:426 \$197...

'The Muslim is the brother of his fellow Muslim. He does not wrong him or leave him helpless. Whoever attends to his brother's need, God will attend to his need. If someone relieves a Muslim of a distress in the world, God will relieve him of one of the distresses of the Day of Resurrection. And if someone covers the fault of a Muslim, God will cover his faults on the Day of Resurrection'.

According to Abū Hurayra ﴿ the Messenger of God ﴿ said, اللهُ مُنْ الْمُسْلِمُ أَخُو الْمُسْلِمِ. لَا يَطْلِمُهُ، وَلَا يَخْذُلُهُ، وَلَا يَخْذُلُهُ، وَلَا يَخْذُلُهُ، وَلَا يَخْذُلُهُ، وَلَا يَخْفِرُهُ، التَّقْوَى هَاهُمَنا (وَيُشِيرُ إِلَى صَدْرِهِ فَلَاثَ مَرَّاتٍ). بِحَسْبِ المْرِيءِ مِنَ الشَّرِّ أَنْ يَخْفِرَ أَخَاهُ الْمُسْلِمَ. كُلُّ الْمُسْلِمِ عَلَى الْمُسْلِمِ حَرَامٌ، وَمُالُهُ، وَعِرْضُهُ.

'The Muslim is the brother of a fellow Muslim; he does not wrong him, abandon him or look down upon him. Piety [taqwā] is right here [and the Prophet pointed to his blessed chest thrice]. It is evil enough for a Muslim to look down upon his brother Muslim. The Muslim's blood, property and honour are forbidden for the other Muslim'.

¹ Narrated by al-Bukhārī in al-Ṣahīḥ: Kitāb al-mazālim [The Book of Wrongdoings], chapter: 'The Muslim Does Not Wrong or Forsake a Fellow Muslim', 2:862 §2310; Muslim in al-Ṣahīḥ: Kitāb al-birr wa al-Ṣila wa al-adab [The Book of Piety, Filial Duty and Good Manners], chapter: 'On the Prohibition of Oppression', 4:1996 §2580; al-Tirmidhī in al-Sunan: Kitāb al-hudūd [The Book of Prescribed Punishments], chapter: 'What Has Come to Us Concerning the Hiding of a Muslim's Faults', 4:34 §1426; and Abū Dāwūd in al-Sunan: Kitāb al-adab [The Book of Good Manners], chapter: 'On Brotherhood', 4:273 §4893.

² Narrated by Muslim in al-Ṣaḥīḥ: Kitāb al-Birr wa al-Ṣila wa al-ādāb [The Book of Piety, Filial Duty and Good Manners], chapter: The Prohibition of Wronging a Muslim or Deserting Him, Despising Him, His Goods, His Blood and His Wealth, 4:1986 §2564; Aḥmad b. Ḥanbal in al-Musnad, 2:277 §7713; 'Abd b. Ḥumayd in al-Musnad, 1:420 §1442; and al-Bayhaqī in al-Sunan al-Kubrā, 6:92 §11276, and in Shu'ab al-Īmān, 5:280 §6660.

14 | FATWA on Terrorism and Suicide Bombings

According to 'Abd Allah b. Mas'ūd 4 the Prophet 5 said, سِبَابُ الْمُسْلِمِ فُسُوقٌ، وَلِقَالُهُ كُفْرٌ.

'Reviling a Muslim is immorality, and fighting him is disbelief'."

According to this hadith, using foul words and abusive language against someone is corruption, and fighting and killing amounts to disbelief; how worse it would be to take up arms and kill civilians?

1.4 Islam Means Safety for All of Humanity

'The Muslim is he from whose tongue and hand all people are safe'.2

Imam Ahmad b. Ḥanbal narrated in his Musnad from 'Abd Allāh b. 'Amr b. al-'Āṣ & who reported that a man said, 'O Messenger of God! What [person's] Islam is best?' The Prophet & replied,

مَنْ سَلِمَ النَّاسُ مِنْ لَّسَانِهِ وَهَدِهِ.

I Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kıtāb al-Īmān [The Book of Faith], chapter: 'On the Muslim's Fear That His Deeds Might be in Vain, Without His Being Aware', 1:27 §48; Muslim in al-Ṣaḥīḥ: Kitāb al-Īmān [The Book of Faith], chapter: 'Explanation of the Prophet's Saying , "Reviling A Muslim is Immorality and Fighting Him is Disbelief", 1:81 §64; al-Tirmidhī in al-Sunan: Kitāb al-Birr wa al-sila [The Book of Piety and Filal Duty], chapter 52, 4:353 §1983; al-Nasā'ī in al-Sunan: Kitāb taḥrīm al-dam [The Book on the Prohibition of Bloodshed], chapter: 'On Fighting A Muslim', 7:121 §4105; and Ibn Mājah in the introduction to his al-Sunan, section: 'On Faith', 1:27 §69.

² Narrated by al-Nasā'ī in al-Sunan: Kitāb al-Īmān wa sharā'i'uhu [The Book of Faith and its Revealed Laws], chapter: 'The Quality of the True Believer', 8:104 \$4995, and in his al-Sunan al-kubrā, 6:530 \$11726; Ibn Mājah in al-Sunan: Kitāb al-fitan [The Book of Tribulations], chapter: 'The Sanctity of a Believer's Blood and Property', 2:1298 \$3934; and Aḥmad b. Ḥanbal in āl-Musnad, 2:379 \$8918.

'The one from whose tongue and hand all people are safe'.

Imam al-Tabarānī has also narrated from 'Abd Allāh b. 'Amr who said that a man asked the Prophet , 'O Messenger of God! Whose Islam is best?' The Prophet to replied,

'The one from whose tongue and hand all people are safe'.2

Using the word 'al-nās' in some of these hadith reports, the Prophet indicated that a Muslim or mu'min is the one from whom everyone's life and property are safe and secure—without any discrimination based on faith and creed. Therefore, a person who does not consider human dignity worth any regard, and treads the path of violence, bloodshed and strife, cannot be a mu'min, despite his devout worship and pious efforts. If someone keeps a beard and glorifies God day and night, offers prayers five times a day, keeps fasts, observes night vigil prayers, performs Hajj and visitation every year in addition to his preaching—yet despite all that, the lives and properties of others are unsafe and insecure from him, none of his deeds will save him from the torment of God. True prosperity depends on a heart protected from mischief and tyranny, 3 not solely on outward acts of worship. The Prophet is said,

'God does not observe your forms and your properties, but He does observe your hearts and your deeds'.4

¹ Narrated by Ahmad b. Hanbal in al-Musnad, 2:187 \$6753.

² Narrated by al-Ṭabarānī in al-Mu'jam al-awsat, 3:287 §3170.

³ Qur'an 26:89.

⁴ Narrated by Muslim in al-Şahīh: Kitāb al-birr wa al-ṣila wa al-ādāb [The Book of Piety, Filial Duty and Good Manners], chapter: 'The Prohibition of Wronging a Muslim, Deserting Him, Scorning Him, Shedding His Blood and Assaulting His Honour and Property', 4:1987 \$2564; and Aḥmad b.

If the inner self does not undergo any change and remains brutal, one cannot deceive God by adorning oneself with the outward trappings of piety and goodness.

1.5 On the Literal Meaning of the Word Iman

According to al-Liḥiyānī, the word *īmān* is derived from *amina*, ya'manu, amnan and amanan, amānatan and amanatan. This word also indicates peace and protection. Abū Manṣūr Muhammad al-Azharī quoted Abū Zayd in *Tahdhīb al-lugha*: 'So-and-so provided shelter [āmana] to the enemy, so the enemy felt safe [amina], and is thus protected [mu'man]'. I

This is *īmān*, or the providing of safety. When an enemy has been provided with protection, he will be called *mu'man* [passive participle], while the provider of shelter will be called *mu'min* [active participle]. Similarly, the Qur'ān has taken an oath by Mecca calling it 'the city of peace'. In it, the word amīn has been used to imply ma'mūn (the object of safety).

Peace is the opposite of fear. Al-Amīn is also one of the beautiful names of God, as reported by the exegete al-Mujāhid, while al-Mu'min is one of His beautiful names mentioned in the Qur'ān. Both, however, mean the same thing: the One Who provides shelter to His friends. The Qur'ān says,

'So they should worship the Lord of this Sacred House [the Ka'ba], Who has fed them in hunger and secured them from fear'.

Imān and amāna are transitive as well as intransitive. Mu'min, therefore, has two meanings: the one who attains peace and the provider of peace. The sanctuary of Mecca has been mentioned in the Our'ān:

Ḥanbal in al-Musnad, 2:258.

¹ Ibn Manzūr al-Afrīqī, Lisān al-'Arab, 13:21.

² Qur'ān 95:3.

³ Ibid., 106:3-4.

﴿ أُوَلُّمْ يَرَوْا أَلَّا جَعَلْنَا حَرَمًا ءَامِنًا ﴾

'And have they not seen that We have made the Sanctuary [of the Ka'ba] a safe haven?'

It also says about the Sacred House of God,

'And [remember] when We made this House [the Ka'ba] a central place for mankind to turn to [and assemble] and a sanctuary for peace'.

Abū Isḥāq al-Zujāj ruled that the words āmin, amin and amīn all share the same meaning. The stars have been called amana in the prophetic traditions, implying that they are the security of the heavens. When they collide, the Day of Resurrection will begin and the universe will perish. The Prophet said,

'The stars are the source of security for the heavens, and when they go the heavens will receive what has been promised it'.

Similarly, the Messenger of God & called himself the security of his Companions:

'I am the source of security for my Companions. When I [physically] leave the world that which was promised them [disruptions, rebellions and hostilities] will come'.

That is exactly what happened and, consequently, the Rightly Guided Caliphs and thousands of other Companions were martyred. Then the Prophet & said,

¹ Ibid., 29:67.

² Ibid., 2:125.

'My Companions are a source of security for my *Umma*. When they leave my *Umma* will receive what was promised it'.

That is how the word amana has been used to denote peace and protection. This word and all its derivatives relate to peace and protection. That is why if someone acts contrary to the way of peace and security and spreads terror, he has no link with Iman.

This linguistic analysis of the meanings of Islam and *Imān* fully reveals that both levels of $d\bar{\imath}n$ demand peace, protection and security in every matter. Whatever action is performed to destroy peace—under any slogan, and with whatever justification fabricated to prove it valid—cannot be in the fold of either Islam or $Im\bar{\imath}an$; rather, it will be in conflict with them. That is why the Prophet declared $Im\bar{\imath}an$ conditional upon peace, protection and security.

The beloved Messenger of God blessed the *Umma* with countless exhortations and instructions drawn from the linguistic reality of *Iman*, so that all Muslims become embodiments of love and affection, tolerance and forbearance, human dignity and mercy and clemency. If these instructions are applied, society entire will become a haven of peace and calmness, security and protection, ease and comfort.

Jābir 🔏 reported that the Messenger of God 🗯 said,

'The most complete of the believers is he from whose tongue and whose hand the Muslims are safe'.2

Abū Mūsā al-Ash'arī 🙇 reported that the Messenger of God 🎄 said,

Narrated by Ahmad b. Hanbal in al-Musnad, 4:398 §19584.

² Narrated by al-Ḥākim in *al-Mustadrak*, 1:54 §23 and Ibn Ḥibbān in *al-Ṣaḥīḥ*, 1:426 §197. —

'The believer is to another believer like an edifice, each part of it strengthens the other', and he interlaced his fingers to illustrate this."

Al-Nu'mān b. al-Bashīr 🎄 reported that the Messenger of God 🐞 said,

'In their mutual love, mercy and compassion, the true believers are like the physical body. If one of its organs is afflicted with pain, the rest of the body rallies to it with sleeplessness and fever'.²

According to Abū Hurayra 🔏 the Messenger of God 🐞 said, أَكْمَلُ الْمُؤْمِنِيْنَ إِنْمَانًا أَحْسَنُهُمْ خُلُقًا، وَعِمَارُكُمْ خِمَارُكُمْ لِنِسَائِهِمْ.

'The most complete of the believers in faith is the finest of them in moral character, and the best of you are those

¹ Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kitāb al-mazālim [The Book of Oppression], chapter: 'Assisting the Oppressed', 2:863 \$2314; Muslim in al-Ṣaḥīḥ: Kitāb al-birr wa al-ṣila wa al-ādāb [The Book of Piety, Filial Duty and Good Manners], chapter: 'The Mutual Compassion of the Muslims, Their Mutual Affection and Their Mutual Support', 4:1999 \$2585; al-Tirmidhī in al-Sunan: Kitāb al-birr wa al-ṣila [The Book of Piety and Filial Duty], chapter: 'What Has Been Reported Concerning the Muslim's Compassion for a fellow Muslim', 4:325 \$1928; and al-Nasā'ī in al-Sunan: Kitāb al-Zakāt [The Book of Zakat], chapter: 'The Remuneration of the Treasurer When He Gives Charitable Donations with His Master's Permission', 5:79 \$2560.

² Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kitāb al-adab [The Book of Good Manners], chapter: 'Compassion for People and Their Livestock', 5:2238 \$5665; Muslim in al-Ṣaḥīḥ: Kitāb al-birr wa al-ṣila wa al-adāb [The Book of Piety, Filial Duty and Good Manners], chapter: 'The Mutual Compassion of the Muslims, Their Mutual Affection and Their Mutual Support', 4:1999 \$2586; Aḥmad b. Ḥanbal in al-Musnad, 4:270; al-Bazzār in al-Musnad, 8:238 \$3299; and al-Bayhaqī in al-Sunan al-kubrā, 3:353 \$6223, and Shu'ab al-Imān, 6:481 \$8985.

who are the kindest towards your womenfolk'. I

said, الله reported that the Messenger of God همله said, في reported لله said, في الطَّفَانِ وَلَا اللهُانِ وَلَا الْفَاحِش وَلَا الْبُذِيءِ.

'The true believer is not a defamer or curser or one given to vulgarities and obscenities'.2

'Abd Allāh b. 'Umar & said, 'I saw the Messenger of God & circumambulating around the Ka'ba and addressing it, saying,

مَا أَطْيَبَكِ وَأَطْيَبَ رِيْحَكِ! مَا أَعْطَمَكِ وَأَعْطَمَ خُرْمَتَكِ! وَالَّذِي نَفْسُ مُحَمَّدٍ بِيَدِهِ، لَحُرْمَةُ الْمُؤْمِنِ أَعْطَمُ عِنْدَ اللهِ خُرْمَةُ مِنْكِ مَالِهِ وَدَهِهِ، وَأَنْ نَظُنَّ بِهِ إِلَّا خَيْرًا.

"How excellent you are and how sweet your smell is! How grand you are and how grand your sacredness is! By the One in Whose Hand is Muhammad's soul, the inviolability of a believer's property and blood is greater in the sight of God than your sacredness. We must think only well of a believer".'3

said, Anas b. Mālik ﴿ reported that the Messenger of God ﴿ said, فَكُونُ مِنْ أَخْلَاقِ الْإِيْمَانِ: مَنْ إِذَا غَضِبَ لَمْ يُدْخِلُهُ غَصَنَهُهُ فِي بَاطِلٍ، وَمَنْ إِذَا رَضِيَ لَمْ يُدْخِلُهُ غَصَنَهُهُ فِي بَاطِلٍ، وَمَنْ إِذَا رَضِيَ لَمْ يَتَعَاطَ مَا لَيْسَ لَهُ.

¹ Narrated by al-Tirmidhī in al-Sunan: Kitāb al-radā'a [The Book of Suckling], chapter: 'What Has Come to Us About the Wife's Right upon Her Husband', 3:466 §1162; Aḥmad b. Ḥanbal in al-Musnad, 2:472 §10110; Ibn Ḥibbān in al-Ṣahīh, 2:227 §479; al-Ḥākim in al-Mustadrak, 1:43 §2; al-Dārimī in al-Sunan, 2:415 §2792; and Abū Ya'lā in al-Musnad, 7:237 §4240.

² Narrated by al-Tirmidhī in al-Sunan: Kitāb al-birr wa al-ṣila [The Book of Piety and Filiāl Duty], chapter: 'What Has Come to Us About Cursing', 4:350 \$1977; al-Bukhārī in al-Adab al-mufrad, p. 116 \$312 and 332; lbn Hibbān in al-Saḥīh, 1:421 \$192; and al-Ḥākim in al-Mustadrak, 1:57 \$29.

³ Narrated by Ibn Mājah in al-Sunan: Kitāb al-fitan [The Book of Tribulations], chapter: 'The Inviolability of a Believer's Blood and Property', 2:1297 \$3932; al-Tabarānī in Musnad al-Shāmiyyīn, 2:396 \$1568; and al-Mundhīrī in al-Targhīb wa al-tarhīb, 3:201 \$3679.

'There are three characteristics of faith: if someone is angry, his anger does not lead him to commit an evil act; if someone is pleased, his pleasure does not cause him to depart from the truth; and if someone is powerful, he does not engage in that which is not his right'.'

1.6 IMAN MEANS SAFETY FOR ALL OF HUMANITY

Imam al-Nasā'ī and Ahmad b. Ḥanbal reported from Abū Hurayra & that the Messenger of God & said,

'The true believer [mu'min] is he whom people trust with regard to their blood and their properties'.2

Fudāla b. 'Ubayd 🚵 reported that the Messenger of God 🚜 said during his Farewell Pilgrimage,

'The true believer [mu'min] is he whom people trust with regard to their lives and their properties'.

said, هَوْ reported that the Messenger of God هَمْ said, مَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الآخِرِ مَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الآخِرِ مَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الآخِرِ فَلَا يُؤْمِ وَالْيَوْمِ الآخِرِ فَلْيَقُلُ خَيْرًا أَوْ لِيَصْمُتُ.

'He who believes in God and the Last Day, let him

¹ Narrated by al-Tabarānī in al-Mu'jam al-şaghīr, 1:114 \$164; al-Daylamī in al-Firdaws bi ma'thūr al-khiṭāb, 2:87 \$2466; Ibn Rajab in Jāmi' al-'ulūm wa al-ḥikam, 1:148; and al-Haythamī in Majma' al-zawā'id, 1:59.

² Narrated by al-Nasā'ī in al-Sunan: Kitāb al-Īmān wa sharā'i'uhu [The Book of Faith and its Revealed Laws], chapter: 'The Quality of the True Believer', 8:104 \$4995; and Ahmad b. Hanbal in al-Musnad, 2:379 \$8918.

³ Narrated by Ibn Mājah in al-Sunan: Kitāb al-fitan [The Book of Tribulations], chapter: 'The Sanctity of the Believer's Blood and Property', 2:1298 \$3934; Aḥmad b. Ḥanbal in al-Musnad, 6:21 \$24004; al-Ḥākim in al-Mustadrak, 1:54 \$24; and al-Ṭabarānī in al-Mu'jam al-awsat, 1:81 \$232.

abstain from harming his neighbour; he who believes in God and the Last Day, let him honour his guest; and he who believes in God and the Last Day, let him say that which is good, or remain silent'. ¹

Abū Shurayh 🔈 reported that the Prophet 🗥 said,

'By God, he does not truly believe! By God, he does not truly believe! By God, he does not truly believe!'

Someone asked, 'Who, O Messenger of God?' He said:

الَّذِي لَا يَأْمَنُ جَارُهُ بَوَائِقَهُ.

'He whose neighbour is not safe from his hurtful behaviour'.2

This concept is also validated by the hadith,

لَا إِيْمَانَ لِمَنْ لَا أَمَانَةَ لَهُ.

¹ Narrated by al-Bukhārī in al-Ṣaḥīh: Kitāb al-adab [The Book of Good Manners], chapter: 'If Someone Believes in God and the Last Day, He Must Not Harm His Neighbour', 5:2240 \$5672, and Kitāb al-adab [The Book of Good Manners], chapter: 'Honouring the Guest and Serving Him Personally', 5:2273 \$5785, and Kitāb al-riqāq [The Book of Heartsoftening Narrations], chapter: 'Safeguarding the Tongue', 5:2376 \$6110; Muslim in al-Ṣaḥīḥ: Kitāb al-Imān [The Book of Faith], chapter: 'Urging Piety for the Neighbour and the Guest, and the Necessity of Maintaining Silence Except when Having Something Good to Say', 1:6968 \$\$47-48; al-Tirmidhī in al-Sunan: Kitāb al-adab [The Book of Manners], chapter 50, 4:659 \$2500; Abū Dāwūd in al-Sunan: Kitāb al-Adab [The Book of Good Manners], chapter: 'The Rightful Due to the Neighbour', 4:339 \$5154; and Ibn Mājah in al-Sunan: Kitāb al-adab [The Book of Good Manners], chapter: 'The Right Due to the Neighbour', 2:1211 \$3672.

² Narrated by al-Bukhārī in al-Şahīh: Kitāb al-adab [The Book of Good Manners], chapter: 'The Sin of Someone Whose Neighbour is Not Safe from His Mischief', 5:2240 \$5670; Muslim in al-Şahīh: Kitāb al-Imān [The Book of Faith], chapter: 'Explanation of the Prohibition of Harming the Neighbour', 1:68 \$46; al-Ḥākim in al-Mustadrak, 1:53 \$21; and al-Ṭabarānī in al-Mu'jam-al-kabīr, 22:187 \$487.

'He who is untrustworthy has no faith'."

For that reason, when someone asked the Messenger of God , Who is a believer?' he replied,

'[The believer is he] whom people trust with their property and their persons'.2

This is the lowest level denoted by the word *Imān*. The Prophet made it a precondition for one to attain good character:

'If someone spends the night satiated while his neighbour is hungry, he has not believed in me'.3

1.7 On the Literal Meaning of the Word Insan

The word *Ihsān* is the verbal noun of the trilateral verb *hasanalhasuna*, *yaḥsunu*, *husnan*. It means beauty, balance, betterment, benevolence, piety and goodness. It is the opposite of ugliness and evil, sin and vice and bad deeds. The antonym of *Iḥsān* is *isā'a*, which means the same thing as ugliness.

In Tahdhīb al-lugha Imam Abū Mansūr Muhammad al-Azharī quoted the saying of al-Layth al-Shaybānī regarding the basic meaning of Ihsān. Regarding the verse:

¹ Narrated by Ibn Hibbān in al-Ṣaḥīḥ, 1:422 §194; Ibn Khuzayma in al-Ṣaḥīḥ, 4:51; al-Bayhaqī in al-Sunan al-kubrā, 4:97; Ibn Abī Shayba in al-Muṣannaf, 6:159; and al-Ṭabarānī in al-Muʿjam al-kabīr, 8:195.

² Narrated by Ibn Mājah in al-Sunan: Kitāb al-fitan [The Book of Tribulations], chapter: 'The Inviolability of a Believer's Blood and Property', 2:1298 §3934 and recorded by Ibn Manzūr al-Afrīqī in Lisān al-'Arab, 13:24.

³ Narrated by al-Tabarānī in al-Mu'jam al-kabīr, 1:259 \$751; and al-Hākim in al-Mustadrak, 2:15.

44 | FATWA on TERRORISM AND SUICIDE BOMBINGS

'And speak with goodness [husnan] to people',1

Al-Layth said that it means to say good and pleasant words to others. Al-Zujāj also maintained that it is to talk to people in a nice manner and possess beauty, goodness and benevolence, because hasīn has been derived from hasuna, as 'azīm is from 'azuma and karīm is from karuma. Al-Mundhirī reported from Abū al-Haytham that the words husnan and hasanan both imply a beautiful thing. It points to beauty in everything, whether in utterance or action, moral acts or general behaviour. The divine command is to be nice and refined not only in conversation but in general behaviour. One must interact with others cordially, piously, and with a sentiment of well-wishing, goodness and beauty.

This word has also been employed as a command for benevolent and beautiful behaviour with parents. God Most High says,

'And We have enjoined man to behave benevolently with his parents'.2

The intention of this divine decree is to teach us that we should speak nicely to our parents, treat them with refined conduct and behave with them in every matter with beauty, kindness, good manners, love and affection, and that under no circumstances should we be harsh with them. This entire manner of behaviour and conduct is called *Ihsān*. The Qur'ān has further made it easy:

'And they repel evil by means of good'.3

The mu'min and muhsin repel evil with good, and vice with virtue. They respond to what is painful with pleasant behaviour. Similarly, the Qur'an has mentioned another divine principle:

¹ Qur'ān 2:83.

² Ibid., 29:8.

³ Ibid., 13:22.

(إِنَّ ٱلْحَسَنَّتِ يُلْعِبْنَ ٱلسَّيَّنَاتِ)

'Surely, good actions remove the evil actions'."

Spiritually, the impact of pious deeds is so strong that they eliminate evil deeds, and the acts of *Ihsān* defeat wrongs and render sins into nothingness. The Qur'ān has further explained,

(وَلَا تَسْتُوى ٱلْحَسَنَةُ وَلَا ٱلسَّيِّنَةُ)

'And good and evil cannot be equal'.2

The message here is that a wrong action should not receive a wrong reaction. Muslims should respond to a vice with virtue. When they hear something bad, they should reply to it with something good and beautiful. A beautiful act or saying effaces the odious act or saying, and permeates the environment with love and cooperation. Evil leads to disunity and division, while good leads to unity and strength. Evil conduct and wrong-doing generate hatred, while good conduct and piety bring about goodness, benevolence, love and harmony. That is the truth of *Ihsān*. That is why God has ordained the Muslims to beg for 'hasana' in this world as well as in the Hereafter:

'O our Lord, grant us excellence [hasana] in this world, and excellence in the Hereafter, and save us from the torment of Hell'.3

One must realize that in this verse, the word hasana does not only imply good deeds and acts of worship—because it is not possible to perform meritorious acts in the Hereafter—hasana means Ihsan both here and Hereafter. In this Qur'anic supplication, goodness, benevolence, beauty and conduct based on Ihsan are requested. When we ask for 'hasana' in this life, we beg for a peaceful life,

¹ Ibid., 11:114.

² Ibid., 41:34.

³ Ibid., 2:201.

free of every evil, mischief, wrong-doing and strife. And when we beg for 'hasana' in the Hereafter, we beg for Ihsān, which is superior to justice alone.

The hasana in this world refers to goodness and betterment and protection from evil and pain, and hasana in the Hereafter signifies emancipation and deliverance from torment, hardships on the Last Day, reckoning and Hell. This meaning of hasana has been elaborated by Anas b. Mālik's saying, quoted by the Imams of Our'anic exegesis, including Ibn Kathīr. Similarly, Imam al-Hasan al-Başrī, Abū Wā'il, al-Suddī, Ibn Zayd, Qatāda, Mugātil, Sufyān al-Thawrī and Ibn Qutayba also maintain that hasana in this world connotes 'knowledge, bounty, worship, expansion of sustenance and security and protection from every evil, mischief and disruption'. The hasana in the Hereafter implies 'Paradise, forgiveness, and protection from torment and hardships'. In both cases, hasana means goodness, betterment, expansion, facility and protection. Deliverance is being implored from torment in both the worlds. This highlights the inherent meaning of goodness. and security that Ihsan conveys.

Two modes of action have been described in the Qur'an: justice and Ihsan. God says,

'Indeed, God enjoins justice and benevolence [towards everyone]'. I

According to Imam al-Rāghib al-Aṣfahānī, justice means that whatever is obligatory for man to give should be given, and whatever he has the right to take, he should take. Iḥṣān, however, means to give more than is due and to take less than is one's right. This conduct emphasizes benevolence when giving to others and taking from others. Iḥṣān is, therefore, a higher grade than justice. Justice is due compensation while Iḥṣān is added excellence. God says,

¹ Ibid., 16:90.

'And is the reward of good anything but good?"

That is what has been ordained. Someone who gives to others more than their due demonstrates *Ihsān*, and God will reward him or her more than what is due. God says,

'For those who do pious works there is good recompense and more [added to it]'.2

The benevolent will be awarded Paradise and will also be awarded more than what is their due. The Qur'ānic exegetes have further elaborated the meaning of 'more' [ziyāda], and held that it implies the beholding of God's Countenance.

By revealing to us his beautiful name of al-Salām, God shows us the meaning of peace that is inherent in Islam, and by revealing to us His name al-Mu'min, He highlights the inherent sense of peace and protection found in the word *Imān*. And how beautiful it is that God, after revealing the concept of *Ihṣān*, informed us that His names are all *ḥusnā* (beautiful)! He says,

'And to God alone belong the most beautiful names [alasmā' al-husnā]'.3

The Qur'an orders us to exemplify Ihsan and benevolence and give others their rightful due. God says,

'And it should be paid in a graceful manner [bi ihsan]'.4

God loves Ihsān and blesses the people of Ihsān with His companionship, saying,

Ibid., 5'5:60.

² Ibid., 10:26.

³ Ibid., 7:180.

⁴ Ibid., 2:178.

48 | FATWA on Terrorism and Suicide Bombings

﴿إِنَّ ٱللَّهَ لَمَعَ ٱلْمُحْسِنِينَ﴾

'Certainly, God is with the people of Ihsan'."

He declares His love for them, saying,

'Certainly, God loves the people of Ihsan'.2

He pronounces His guarantee for the people of *lhsān* that they will have His exclusive protection and divine shelter, and He declares them free of all blame,

'The people of Ihsan are not to be blamed'.3

God also says,

'And with regard to dīn, who is better than the one who submits his whole being entirely to God, while he also holds spiritual excellence?'

Certainly, those who conduct themselves benevolently are the people of excellence. According to the Qur'an, it was said to the Prophet Joseph &.

'Surely, we see you one of the spiritually excellent [muhsinīn]'.5

According to Abū Manşūr al-Azharī and Ibn Manzūr, a

¹ Ibid., 29:69.

² Ibid., 2:195.

³ Ibid., 9:91.

⁴ Ibid., 4:125.

⁵ Ibid., 12:36.

beautiful green tree is called al-hasan, because it provides coolness and pleasant shade to people. Even the mere sight of it pleases hearts. Due to its trait of benevolence, it is named alhasan. According to Abū Nasr al-Fārābī al-lawharī in al-Sihāh, the moon is also known as al-hāsin because its light shows the path to travellers, and the moonlit nights are a great source of soothing for those who are stricken with anxiety and concern. Moreover, the moon is a metaphor of light and light eliminates darkness. Ihsān is, therefore, light, guidance, calm and comfort. This is why Ihsan has been given the third and highest level in the religion. The zenith of Islam culminates in Iman and the apex of Iman is identified as Ihsan. The hadith of Gabriel 22 verifies this hierarchy. Islam relates to verbal and physical obedience, while Iman is its internal aspect, comprising the verification of the inner self and its commitment and conviction; and Ihsan points to their spiritual fruition and inner states of divine love and beauty. Ihsan bestows upon us authenticity and sincerity which ensure protection from disaster and extinction. It is for this reason that the Our'an regards Ihsan as a way out of disaster. God says,

'And spend in the cause of God and do not cast yourselves into destruction with your own hands—and adopt spiritual excellence [lhsān]. Verily, God loves the spiritually excellent [muhsinīn]'.

Ihsān is obligatory for everyone and in every matter, so much so that killing someone by torture, or even teasing an animal at the time of slaughter, are forbidden acts—as evidenced by the many prophetic traditions on this subject. Shaddād b. Aws & reported that the Messenger of God said,

إِنَّ اللهَ كَتَبَ الْإِحْسَانَ عَلَى كُلِّ شَيْءٍ، فَإِذَا قَتَلُتُمْ فَأَحْسِنُوا الْقِتْلَةَ، وَإِذَا ذَبَختُمْ فَأَحْسِنُوا الذَّبْحَ، وَلَيْحِدُ أَحَدُكُمْ شَفْرَتُهُ، فَلَيْرَحْ ذَبِيْحَتَهُ.

¹ Ibid., 2:195.

Icausing it the least discomfortl'.1

'God has prescribed spiritual excellence in everything, so if you kill, do so with excellence, and if you sacrifice an animal, do so with excellence, and let one of you sharpen his blade, in order to set his sacrificial animal at rest

Abū Shurayḥ al-Khuzāʿī 🏂 reported that the Messenger of God 🐴 said.

'Whoever believes in God and the Last Day, let him behave with excellence towards his neighbour'.2

Abū Dharr 🕭 reported that the Messenger of God 🗯 said,

'Fear God wherever you may be, follow up a bad deed with a good deed and it will efface it, and deal with

¹ Narrated by Muslim in al-Ṣahīh: Kitāb al-ṣayd wa al-dhabā'ih wa mā yu'kal min al-hayawān [The Book of Hunting, Sacrificing Animals and What Animals May be Eaten], chapter: 'The Injunction to Perform the Slaughter and Cutting well, and to Sharpen the Cutting Blade', 3:1548 §1955; al-Tirmidhī in al-Sunan: Kitāb al-diyāt [The Book of Blood Money], chapter: 'What Has Come to Us About the Prohibition of Mutilation [muthla]', 4:23 §1409; Abū Dāwūd in al-Sunan: Kitāb al-dahāyā [The Book of Sacrificial Animals], chapter: 'The Prohibition of Keeping Animals Waiting, and the Injunction to Treat the Sacrificial Animals Gently', 3:100 §2815; al-Nasā'ī in al-Sunan: Kitāb al-dahāyā [The Book of Sacrificial Animals], chapter: 'The Injunction to Sharpen the Cutting Blade', 7:227 §4405; and Ibn Mājah in al-Sunan: Kitāb al-dahāyā [The Book of Sacrificial Animals], chapter: 'When You Slaughter, You Must Perform the Slaughter Well', 2:1058 §3170.

² Narrated by Muslim in al-Ṣaḥīḥ: Kitāb al-Īmān [The Book of Faith], chapter: 'The Encouragement to Honour the Neighbour and the Guest, and the Necessity of Maintaining Silence Except when Having Something Good to Say', 1:69 \$48; Ibn Mājah in al-Sunan: Kitāb al-adab [The Book of Good Manners], chapter: 'The Right Due of the Neighbour', 2:1211 \$3672; al-Dārimī in al-Sunan, 2:134; and al-Tabarānī in al-Mu'jam al-kabīr, 22:192 \$501.

people with good character'."

'Abd Allāh b. Mas'ūd & reported, 'A man said, "O Messenger of God! When shall I become spiritually excellent?" The Prophet *
replied,

إِذَا قَالَ جِهْرَائُكَ: أَنْتَ مُحْسِنٌ، فَأَنْتَ مُحْسِنٌ، وَإِذَا قَالُوا: إِنَّكَ مُسِيءٌ فَأَنْتَ مُسِيءٌ.

"If your neighbours say, 'You are spiritually excellent', you are spiritually excellent, and if they say, 'You are an evildoer', then you are an evildoer"!'2

Anas b. Mālik & reported that the Messenger of God & said,

إِذَا جَمَعَ اللهُ الْأَوْلِيْنَ وَالْآخِرِيْنَ يُنَادِي مُنَادٍ فِي صَعِيْدِ وَاحِدٍ مِنْ بُطُنَانِ الْعَرْشِ: أَيْنَ الْمُحْسِنُونَ؟ قَالُوا: نَحْنُ الْمُحْسِنُونَ. قَالَ: صَدَقَتْمْ. قُلْتُ لِنَبِيّ: (مَا عَلَى آلْمُحْسِنِينَ مِنْ سَيِيلٍ) مَا عَلَيْكُمْ مِنْ سَيِيلٍ، ادْخُلُوا الْجَنَّةَ بِرَحْمَتِي.

'When God assembles the first and the last, a herald will call out from a plain under the pedestals of the Heavenly Throne: "Where are the people of spiritual excellence [muhsinūn]?"... A group of people will say, "We are the spiritually excellent!" God will say, "You have told the truth! I said to My Prophet: 'The people of Ihsān are not to be blamed'.' So there is no cause of reproach against you. Enter the Garden of Paradise with My Mercy"!

¹ Narrated by al-Tirmidhī in al-Sunan: Kitāb al-birr wa al-sila [The Book of Piety and Filial Duty], chapter: 'What Has Come to Us About Social Interaction', 4:355 \$1987; al-Dārimī in al-Sunan, 2:415 \$2791; Ahmad b. Ḥanbal in al-Musnad, 5:153 \$21392; Ibn Abī Shayba in al-Muşannaf, 5:211 \$25324; al-Bazzār in al-Musnad, 9:416 \$4022; and al-Ṭabarānī in al-Mu'jam al-kabīr, 20:144 \$296. Abū 'Isā [al-Tirmidhī] said, 'This is a fine authentic tradition [hasan ṣahīh]'.

² Narrated by Ibn Mājah in al-Sunan: Kitāb al-zuhd [The Book of Renunciation], chapter: 'On Goodly Mention', 2:1411 §\$4222-3; Ibn Hibbān in al-Şahīh, 2:284 §525; al-Ḥākim in al-Mustadrak, 1:534 §1399; and al-Bayhaqī in Shu'ab al-Īmān, 7:85 §1399. Al-Ḥākim said, 'This is a rigorously authentic [sahīh] tradition'.

³ Qur'ān 9:91.

Anas کے added, 'Then, the Messenger of God کے smiled and said, اللہ مِنْ أَهْوَال بَوَالِق الْقِيَامَةِ.

"Indeed, God will deliver them from the miseries and calamities of the Resurrection!".'1

Jābir 🟂 reported that the Messenger of God 🗯 said,

'Indeed, amongst the dearest of you to me, and those of you seated closest to me on the Day of Resurrection, are the finest of you in moral character'.²

'A'isha & reported that the Messenger of God 🙈 said,

'The believer will surely attain, by the excellence of his moral character, the degree of the one steadfast in prayers and fasting'.³

Ibn Mas'ūd 🕉 reported that the Messenger of God 🐞 said,

'The Hellfire is forbidden for every mild-mannered and

¹ Narrated by Abū Nu'aym in Kitāb al-arba'īn, p. 100 §51; and al-Munāwī in Fayd al-Qadīr, 1:420 §4.

² Narrated by al-Tirmidhī in al-Sunan: Kitāb al-birr wa al-ṣila [The Book of Piety and Filial Duty], chapter: 'What Has Come to Us Concerning the Nobility of Lofty Character', 4:370 \$2018; Ahmad b. Hanbal in al-Musnad, 2:185 and 217 \$\$6735, 7035; Ibn Hibbān in al-Ṣahīh, 2:235 \$485; and al-Bayhaqī in Shu'ab al-Imān, 6:234 \$799. Abū 'Isā [al-Tirmidhī] said, 'This is a sound [hasan] tradition'.

³ Narrated by Abū Dāwūd in al-Sunan: Kitāb al-adab [The Book of Good Manners], chapter: 'On Goodness of Character', 4:252 \$4798; Ahmad b. Hanbal in al-Musnad, 6:90 \$24639; Ibn Hibbān in al-\$ahīh, 2:228 \$480; al-Hākim in al-Mustadrak, 1:128 \$199; and al-Bayhaqī in Shu'ab al-Imān, 6:236 \$7997.

even-tempered person who is close to people'.1

'À'isha الله reported that the Messenger of God لله said, يَا عَائِشَةًا إِنَّ اللهُ رَفِيْقَ، يُبِحِبُ الرِّفْقَ فِي الْأَمْرِ كُلِّهِ.

'O 'À'isha, God is Gentle and Kind and He loves gentleness in everything'.2

In another narration she reported that he said,

'O 'A'isha, God is Gentle and He loves gentleness. He bestows for the sake of gentleness what He does not bestow due to harshness'.

Abū Hurayra 🔏 reported that the Messenger of God 🗯 said, كَانَ تَاجِرٌ لِمُدَايِنُ النَّاسَ، فَإِذَا رَأَى مُعْسِرًا، قَالَ لِفِتْيَانِهِ: تَجَاوَزُوا عَنْهُ، لَعَلَّ اللهَ أَنْ يُتَجَاوَزُ عَنَّا، فَتَجَاوَزُ اللهُ عَنْهُ.

'There was a merchant who used to give people credit. When he saw someone in difficulty, he would say to his employees: "Make allowances for him, so that perhaps God will make allowances for us". So as a result, God

¹ Narrated by Ahmad b. Hanbal in al-Musnad, 1:415 \$3938; Ibn Ḥibbān in al-Ṣaḥīḥ, 2:215 \$469; al-Ṭabarānī in al-Mu'jam al-kabīr, 10:231 \$10562; Abū Ya'lā in al-Musnad, 8:467 \$5053; and al-Bayhaqī in Shu'ab al-Īmān, 7:353 \$2697.

² Narrated by al-Bukhārī in al-Şahīh: Kitāb istitāba al-murtaddīn wa al-mu'ānidīn wa qitālihim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'What is to be Done When a Non-Muslim Citizen [or Anyone Else] Presents Himself', 6:2539 \$6528; and Ibn Mājah in al-Sunan: Kitāb al-adab [The Book of Good Manners], chapter: 'On Kindness', 2:1216 \$3688.

³ Narrated by Muslim in al-Şahīh: Kitāb al-birr wa al-şila wa al-ādāb [The Book of Piety, Filial Duty and Good Manners], chapter: 'The Virtue of Gentleness', 4:2003 \$2593; Abū Dāwūd in al-Sunan: Kitāb al-adab [The Book of Good Manners], chapter: 'On Gentleness', 4:254 \$4807; and Ahmad b. Hanbal in al-Musnad, 1:112 \$902.

made allowances for him'.1

Abū Hurayra هَ also reported that the Messenger of God هَ said,

إِنَّ رَجُلًا لَمْ يَغَمَلُ حَيْرًا قَطُّ وَكَانَ يَدَايِنُ النَّاسَ. فَيَقُولُ لِرَسُولِهِ: خُذْ مَا تَيَسُرَ وَالْرَكَ

مَا عَسْرَ، وَتَجَاوَزُ لَمَلُ اللهُ تَعَالَى أَنْ يُتَجَاوَزُ عَنَّا. فَلَمَّا هَلَكَ، قَالَ اللهُ لَهُ: هَلْ عَمِلْتَ

حَيْرًا قَطْءٌ قَالَ: لا، إِلَّا أَنْهُ كَانَ لِي غُلَامٌ، وَكُنْتُ أَدَايِنُ النَّاسَ، فَإِذَا بَعَثُتُهُ لَيَتقَاضَى،

قُلْتُ لَهُ: خُذْ مَا تَهَسَّرَ وَالرَّكُ مَا عَسْرَ، وَتَجَاوَزُ لَعَلُ اللهَ يَتَجَاوَزُ عَنَّا. قَالَ اللهُ تَمَالَى:

قَلْتُ لَهُ: خَذَاتُ عَنْكَ.

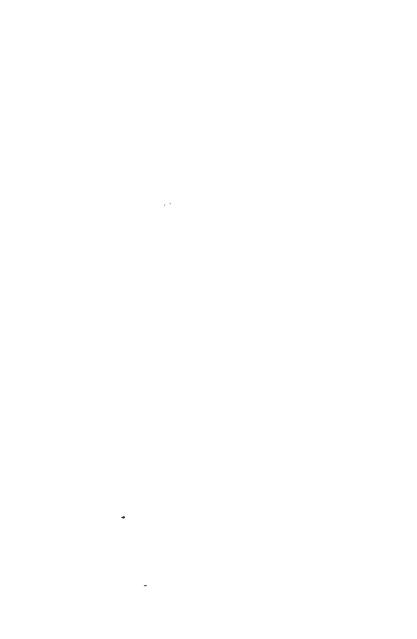
'There was a man who was extremely lax in performing good deeds and he used to loan money to people. [When he would loan money out] he would say to his secretary, "Take [in repayment of a loan] that which is easy and leave that which is difficult and overlook it, for perhaps God Most High will overlook us [our faults]". When that man perished, God Most High said to him, "Did you ever do any good deeds?" The man replied, "No, but I did have a young servant and I used to loan money to people, so when I would send him to collect the money owed, I would say to him, 'Take that which is easy and leave that which is difficult and overlook it, for perhaps God Most High will overlook us'." God then said to him, "I have overlooked your faults".'2

¹ Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kitāb al-buyū' [The Book of Sales], chapter: 'On Someone Giving a Person in Difficulties Time to Pay', 2:731 § 1972; Muslim in al-Ṣaḥīḥ: Kitāb al-musāqāt [The Book of Sharecropping], chapter: 'The Virtue of Giving a Person in Difficulties Time to Pay', 3:1196 § 1562.

² Narrated by al-Nasā'ī in al-Sunan: Kitāb al-buyū' [The Book of Sales], chapter: 'On Dealing with Others Well and Being Kind in Seeking Repayment of Loans', 7:381 \$3696; Ahmad b. Hanbal in al-Musnad, 2:361 \$8715; Ibn Hibbān in al-Ṣahīḥ, 11:422 \$5403; and al-Ḥākim in al-Mustadrak, 2:33 \$2223.

1.8 SUMMARY

This lexical research has demonstrated that the three levels of our dīn, Islam, Imān and Ihsān, are synonymous with peace and security, safety and protection, tolerance and forbearance, love and affection, benevolence and human dignity, and all their resultant pleasures. Islam is a perfect and complete code of life that ensures protection, mercy, clemency, patience, tolerance, balance, justice and moderation for all. A Muslim, therefore, is the one who embodies peace, sanctity and protection for the whole of humankind. A mu'min is the one who, at the same time, possesses the traits of human dignity, coexistence, tolerance, moderation and love and peace. And a muhsin is the one who is a blend of the first two levels along with the spiritual and divine experiences that are useful for others. In sum, Islam, in its wider perspective, is a religion that ensures peace and security for everyone at all levels, individually and collectively.



CHAPTER 2

THE UNLAWFULNESS OF INDISCRIMINATELY KILLING MUSLIMS



2.1 The Sanctity of a Believer is Greater Than the $Ka^{\prime}ba$

There are some people who declare that the majority of the Muslims are disbelievers, polytheists and innovators on account of political, ideological or religious differences, and subsequently massacre them ruthlessly. They must know the sanctity and honour of a believer's life in the sight of God and His Messenger. The Prophet declared the honour and dignity of a believer greater than that of the Ka'ba, the Sacred House of God. Imam Ibn Mājah transmitted a hadith on this subject.

عَنْ عَبْدِ اللهِ بْنِ عُمَرَ ﷺ قَالَ: رَأَيْتُ رَسُولَ اللهِ ﷺ يَطُوفُ بِالْكَفَبَةِ، وَيَقُولُ: مَا أَطْيَبَكِ وَأَطْيَبَ رِبْحَكِ! مَا أَعْظَمَكِ وَأَعْظَمَ خُرْمَنَكِ! وَالَّذِي نَفْسُ مُحَمَّدٍ بِيَدِهِ، لَخْرَمَةُ الْمُؤْمِنِ أَعْظَمُ عِنْدَ اللهِ خُرْمَةً مِنْكِ، مَالِهِ، وَدَمِهِ، وَأَنْ نَظْنُ بِهِ إِلَّا حَيْرًا.

'Abd Allah b. 'Umar & said, 'Once, I saw the Messenger of God & circumambulating the Ka'ba and he was addressing it: "How excellent you are and how sweet your smell is! How grand you are and how grand your sacredness is! By the One in Whose Hand is Muhammad's soul, the inviolability of a believer's property and blood is greater in the sight of God than your sacredness. We must think only well of a believer"."

2.2 MERELY POINTING A WEAPON AT A BELIEVER IS

PROHIBITED

Killing people with explosives or other weapons is a grave sin, but even pointing a weapon towards a believer is forbidden, and

¹ Narrated by Ibn Mājah in al-Sunan: Kitāb al-fitan [The Book of Tribulations], chapter: 'The Inviolability of a Believer's Blood and Property', 2:1297 \$3932; al-Tabarānī in Musnad al-Shāmiyyīn, 2:396 \$1568; and al-Mundhirī in al-Targhīb wa al-tarhīb, 3:201 \$3679.

the one who does it is cursed. Abū Hurayra 🟂 reported that the Messenger of God 🚵 said,

'None of you should point a weapon at his brother, for he does not know, for perhaps the devil may draw it out while it is in his hand, resulting in his falling into a pit of Hell'.

Here, metaphorical language has been employed. Someone who wields a weapon might fire it at the spur of the moment and hit someone. This act has been linked to Satan so that people regard it as a satanic act and stay away from it. This has been elaborated in another hadith in which the Prophet said,

'Whoever points a piece of iron [e.g., a gun] at his brother, the angels will curse him until he puts it down, even if he [the one at whom it is pointed] is his brother of the same father and mother'.2

The Prophet in not only forbade pointing a weapon at someone, but he also forbade displaying it. Jabir & said,

¹ Narrated by Muslim in al-Saḥīḥ: Kitāb al-birr wa al-ṣila wa al-ādāb [The Book of Piety, Filial Duty and Good Manners], chapter: 'On the Prohibition of Pointing a Weapon at Someone Else', 4:2020 \$2617; al-Hākim in al-Mustadrak, 3:587 \$6176; and al-Bayhaqī in al-Sunan al-kubrā, 8:23 \$2617.

² Narrated by Muslim in al-Ṣaḥīḥ: Kitāb al-birr wa al-ṣila wa al-ādāb [The Book of Piety, Filial Duty and Good Manners], chapter: 'On the Prohibition of Pointing a Weapon at Someone Else', 4:2020 \$2616; al-Tirmdhī in al-Sunan: Kitāb al-fitan [The Book of Tribulations], chapter: 'What Has Come to Us Regarding the Muslim who Points a Weapon at His Brother', 4:463 \$2162; al-Ḥākim in al-Mustadrak, 2:171 \$2669; Ibn Ḥibbān in al-Ṣaḥīḥ, 13:272 \$5944; and al-Bayhaqī in al-Sunan al-kubrā, 8:23 \$15649.

نَهَى رَسُولُ اللهِ عِنْهِ أَنْ يُتَعَاطَى السَّيْفُ مَسْلُولًا.

'The Messenger of God A forbade that an unsheathed sword be handed to someone else'."

While a drawn sword—or any other weapon for that matter—may cause injury, displaying it might provoke one to violence. What can be a greater proof of Islam's status as a religion of peace, security and advancement, for the word 'maslūl' used in the aforementioned hadith essentially indicates that defence institutions charged with keeping arms must also adopt foolproof security measures to ensure that their weapons will not be misused!

If displaying weapons and pointing them at others are strictly prohibited—as proven in the above mentioned hadith—then how grave a sin and atrocity it is to challenge the authority of a Muslim state and destroy the lives and properties of civilians through bomb blasts and suicide attacks!

2.3 THE UNLAWFULNESS OF VIOLENCE AGAINST MUSLIMS

Islam not only outlaws the mass killing of Muslims but the whole of humanity, without any discrimination on the basis of caste, colour, race or religion. One can appreciate the value and inviolability of human life in Islam by realising that the act of killing a human being has been equated with slaughtering the entire human race. In connection with human dignity, God says in the Qur'ān,

"Whoever kills a person [unjustly], except as a punishment for murder or [as a prescribed punishment for bloodshed, robbery and spreading] disorder in the land, it is as if he

¹ Narrated by al-Tirmidhī in al-Sunan: Kitāb al-fitan [The Book of Tribulation], chapter: 'What Has Come to Us Regarding the Prohibition of Handing Someone an Unsheathed Sword', 4:464 \$2163; Abū Dāwūd in al-Sunan: Kitāb al-jihād [The Book of Martial Jihad], chapter: 'What Has Come to Us Regarding the Prohibition of Handing Someone an Unsheathed Sword', 3:31 \$2588; al-Ḥākim in al-Mustadrak, 4:322 \$7785; and Ibn Hibbān in al-Ṣaḥīḥ, 13:275 \$5946.

62 | FATWA ON TERRORISM AND SUICIDE BOMBINGS

killed all of humanity'."

This verse highlights the sanctity of human life in general. The sanctity of a man or woman, the old or the young, the rich or the poor has not been specified. The point being that the Qur'ān has not only prohibited killing a man without any justification, but has also declared that it is akin to the murder of humanity entire. As for the law of retribution, which authorizes capital punishment for a murderer, it has been legislated for safeguarding the sanctity of human life.

2.4 THE UNLAWFULNESS OF KILLING SOMEONE WHO ACCEPTS ISLAM IN THE MIDST OF FIGHTING

Although the common notion expressed around the world is that all is fair in love and war, Islam does not agree. It has laid down rules and regulations for the battlefield, and the life and blessed practice of the Prophet of Islam senjoin us to observe caution, care and fair play, even in the most critical and troubled moments of war. The Prophet showed his strong displeasure over the killing of a man who declared his acceptance of the faith (which was perhaps under the fear of death) when he was under the sword and about to be slain. If that was his displeasure over someone killed in a state of battle, what about killing Muslims and people of knowledge only because their views differ with the extremist ideologies of the rebel terrorist groups?

Usāma b. Zayd b. Ḥāritha & said,

بَعَثَنَا رَسُولُ اللهِ عَلَيْهِ إِلَى الْحُرَقَةِ مِنْ جُهَيْنَةً، فَصَبَّحْنَا الْقَوْمَ، فَهَزَمْنَاهُمْ، وَلَحِفْتُ أَلَا وَرَجُلِّ مِنَهُمْ فَلَمَّا غَشِيْنَاهُ قَالَ: لَا إِلَٰهَ إِلَّا اللهُ. فَكَفَّ عَنْهُ الْأَنْصَارِيُّ، وَطَعَنْتُهُ بِرُمْحِي حَتَى قَتَلْتُهُ. قَالَ: فَلَمَّا قَدِمْنَا، بَلَغَ ذَلِكَ النَّبِي عَلَيْهُ فَقَالَ الْأَنْصَارِيُّ، وَطَعَنْتُهُ بِرُمْحِي حَتَى قَتَلْتُهُ. قَالَ: فَلَمَّا قَدِمْنَا، بَلَغَ ذَلِكَ النَّبِي عَلَيْهُ فَقَالَ لِي إِلَّهُ إِلَّا اللهُ عَلَى اللهُ عَلَى اللهُ إِلَّهُ إِلَّا الله عَلَى اللهُ عَلَى الْعَلَى عَلَى اللهُ عَلَى اللّهُ عَلَى اللهُ عَلَى اللّهُ عَلَى اللهُ عَلَى عَلَى اللهُ عَلَى اللهَ عَلَى اللهُ عَلَى اللهَ ع

¹ Qur'an 5:32.

'The Messenger of God A dispatched us to fight against Huraga, a branch of the Juhayna tribe, so we reached the tribesmen in the morning and defeated them. One of the Ansar and I jointly caught up to a man of that tribe. When we overpowered him, he said, "There is no god but God". Upon hearing this, the Ansarī held back from him, but I stabbed him with my spear until I killed him. When we came back, the news had already reached the Prophet so he said to me, "O Usāma, did you kill him after he said, 'There is no god but God'?" I said, "O Messenger of God, he was merely seeking refuge. (He uttered the formula to save his life)!" He said again, "Did you kill him after he said, 'There is no god but God'?" He kept repeating that to me, until I wished that I had not embraced Islam before that day!"

The version of Imam Muslim reads:

فَدَعَاهُ فَسَأَلُهُ، فَقَالَ: لِمَ قَتِلْتَهُ؟ قَالَ: يَا رَسُولَ الله، أَوْجَعَ فِي الْمُسْلِمِيْنَ، وَقَتَارَ فُلَانًا وَفُلَانًا، وَسَمَّى لَهُ نَفَوًا. وَأَنِّي حَمَلْتُ عَلَيْه، فَلَمَّا رَأَى السَّيْف، قَالَ: لَا إِلَهُ إِلاًّ اللهُ. قَالَ رَسُولُ الله هِي: أَقَتَلْتُهُ؟ قَالَ: نَعَمْ. قَالَ: فَكُيْفَ تَصْنَعُ بِلَا إِلَّهَ إِلَّا اللهُ إِذَا جَاءَتْ يَوْمَ الْقِيَامَةِ؟ قَالَ: يَا رَسُولَ الله، اسْتَغْفِرْ لِي. قَالَ: وَكَيْفَ تَصْنَعُ بِلَا إِلَهَ إِلَّا اللَّهُ إِذَا جَاءَتْ يَوْمَ الْقِيَامَةِ ؟ قَالَ: فَجَعَلَ لَا يَزِيْدُهُ عَلَى أَنْ يَقُولَ: كَيْفَ تَصْنَعُ بِلَا إِلَّهَ الا اللهُ اذَا جَاءَتْ نَوْمَ الْقَامَةِ؟

'So he summoned him and asked him, "Why did you kill him?" He said, "O Messenger of God, he caused pain to the Muslims, and he killed so-and-so and so-and-so, and I attacked him, so when he saw the sword, he said,

¹ Narrated by al-Bukhārī in al-Sahīh: Kitāb al-maghāzī [The Book of Military Expeditions], chapter: 'The Blessed Prophet's Sending of Usama b. Zavd to the Campsites of the Juhayna Tribe', 4:1555 \$4021 and Kitāb al-diyāt [The Book of Blood Moneyl, chapter: 'Regarding the Saying of God Most High, "And Whoever Saves the Life of One Person. . . " [Qur'an 5:32], 6:2519 \$6478; and Ibn Hibban in al-Sahīh, 11:56 \$4751.

'There is no god but God'!" The Messenger of God asked him, "Did you kill him?" When he said, "Yes", he said, "So how will you deal with 'There is no god but God' when the Day of Resurrection comes?" He said, "O Messenger of God, seek forgiveness on my behalf!" He said again: "So how will you deal with 'There is no god but God' when the Day of Resurrection comes?" He then kept saying, without adding anything: "How will you deal with 'There is no god but God' when the Day of Resurrection comes?"

Miqdad b. Aswad 🙇 said,

قُلْتُ: يَا رَسُولَ اللهِ، أَرَأَيْتَ إِنْ لَقِيْتُ رَجُلًا مِنَ الْكُفَّارِ فَقَاتَلَنِي فَصَرَبَ إِخْدَى يَدَيُ بِالسَّيْفِ، فَقَطَعَهَا، ثُمُّ لاذَ مِنِّى بِشَجَرَةِ، فَقَالَ: أَسْلَمْتُ لِلهِ، أَفَاقْتُلُهُ، يَا رَسُولَ اللهِ، بَعْدَ أَنْ قَالَهَا؟ قَالَ رَسُولُ اللهِ هِنَّ لَا تَشْتُلُهُ. قَالَ: فَقُلْتُ: يَا رَسُولَ اللهِ، إِنَّهُ قَذ قَطَعَ يَدِي، ثُمُّ قَالَ ذَلِكَ بَعْدَ أَنْ قَطْعَهَا، أَفَاقَتْلُهُ؟ قَالَ رَسُولُ اللهِ هِنَّةٍ: لَا تَقْتُلُهُ فَإِنْ قَتْلُتُهُ فَإِنْهُ بِمَنْزِلَيْكَ قَبْلَ أَنْ تَقْتُلُهُ، وَإِنْكَ بِمُنْزِلَيِهِ قَبْلِ أَنْ يَقُولَ كَلِمَتَهُ اللَّي قَالَ.

'I said to the Messenger of God, "What do you think, if I meet a man of the disbelievers and we fight and he strikes one of my hands with his sword and cuts it off and then takes refuge from me behind a tree and says, 'I have surrendered to God'? Should I kill him, O Messenger of God, after he has said that?" The Messenger of God said, "No. Do not kill him. If you were to kill him, then he would be in your position [i.e., Muslim] before you killed him and you would be in his position [i.e., disbeliever] before he said that word which he said".'2

¹ Narrated by Muslim in al-Şahīh: Kitāb al-Īmān [The Book of Faith], chapter: 'On the Prohibition of Killing a Disbeliever when He Says, "There is no god but God", 1:97 \$94-97.

² Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kitāb al-magbāzī [The Book of Military Expeditions], chapter: 'On the Angels Being Present at the Battle of Badr', 4:1474 \$3794; and Muslim in al-Ṣaḥīḥ: Kitāb al-Īmān [The Book of Faith], chapter: 'On the Prohibítion of Killing a Disbeliever when He Says, 'There is no

In the light of these merciful and benevolent teachings of the Prophet , the brutal and ruthless terrorists, who indiscriminately massacre peaceful Muslims, must ponder over and abandon their misanthropist and barbaric ideologies and dreadful beliefs. If the life of an enemy in the battlefield is protected when he accepts faith, then how odious it is to massacre Muslims in mosques, and how egregious it is to slay them in offices, educational institutes, markets and public buildings!

2.5 BECOMING AN ACCOMPLICE TO TERRORISTS IS ALSO A CRIME

The Prophet A categorically forbade people to provide help or material support to terrorists. He ordered us to isolate them and deny them any numerical strength, financial assistance and moral support. Abū Hurayra & reported that the Prophet A said,

'If anyone helps in the murder of a believer—even if with only a few words—he will meet God with the words written on his forehead: "hopeless of God's mercy".'

This hadith also indicates that it is not only financial and numerical assistance that must be denied to terrorists, but, according to the expression 'bi shatri kalimatin' ('a few words'), speeches or writings which lend support to the enemies of peace are also condemnable and must be banned. Such support can only deprive us of God's forgiveness and mercy. This hadith contains a strict warning to those who mastermind terrorist acts and misinterpret the Qur'ān by brainwashing youth with glad tidings of Paradise for murdering peaceful civilians.

god but God"', 1:95 \$95.

^I Narrated by Ibn Mājah in al-Sunan: Kitāb al-Diyāt [The Book of Blood Money], chapter: The Gravity of Unjustly Killing a Muslim, 2:874 \$2620; al-Rabī' in al-Musnad, 1:368 \$960; and al-Bayhaqī in al-Sunan al-kubrā, 8:22 \$15646.

2.6 THOSE WHO ATTACK MOSQUES ARE THE GREATEST WRONGDOERS

Islam not only teaches its adherents to maintain peace and observe tolerance with other communities, but it also instils in them a respect for the beliefs and viewpoints, and norms and rituals of those who do not share their faith and creed. To launch attacks against opponents, their properties and sacred sites on account of religious, ideological or political differences is not only against the express spirit of Islam but is inhumane as well. Those who violate the sanctity of the houses of God and kill peaceful and devout worshippers through bomb explosions and suicide attacks are neither true believers nor people of guidance. Those who hinder people from making mention of God's name in mosques, by spreading terror and intimidation, through violence and terrorism are grave sinners and enemies of peace; the Qur'ān, in fact, declares them the greatest wrongdoers and warns them of an immense suffering in the Hereafter. God says,

'And who is more unjust than he who forbids the remembrance of God's name in the places of prostration [mosques] and strives to demolish them? It was not proper for them to enter the mosques but in a state of fear [fearing God]. For them is disgrace in this world and there is a dreadful torment for them in the Hereafter'.'

Elsewhere, God proclaims that those who maintain the houses of worship are only those who believe in God and the Last Day; it is they who are the guided ones. This implies that those people, who, instead of maintaining the houses of worship, mount attacks on them, believe neither in Islam nor in the Day of Judgement. God says.

¹ Our'ān 2:114.

﴿إِنَّمَا يَعْمُرُ مَسَاجِدَ ٱللَّهِ مَنْ ءَامَنَ ٰبِاللَّهِ وَالْهِرْمِ ٱلْأَخِرِ وَأَلْمَامَ الصَّلَوٰةَ وَءَاتَى الزُّكُوٰةَ وَلَمْ يَخْشَرُ إِلَّا اللَّهَ فَعَسَىٰ أَوْلَئِكَ أَن يَكُونُواْ مِنَ الْمُفَهَّدِينَ﴾

'Only he who believes in God and the Last Day and establishes prayer and pays Zakat and who fears none but God can maintain and frequent the mosques of God. So they alone are expected to be amongst the rightly guided'.

Consider the life and company of the miscreants who violate the sanctity of mosques and tombs of Muslim saints! With a little thought, one will quickly discover that their ideological and intellectual growth takes place in an atmosphere laden with narrow-mindedness. This narrow-mindedness generates extremism, which further leads to violence and aggression. And aggression takes its logical shape—that being the monstrosity known as terrorism—which is the outcome of hatred, prejudice and violence, which strip us of the qualities of love, peace, moderation and tolerance. Such a person, in the words of the Qur'an, becomes stone-hearted:

'Then [even] after this your hearts hardened. So [in hardness] they [have become] like stones, or even harder'.2

Such a person is the worst embodiment of wretchedness and callous nihilism; he descends to a low level and takes the lives of peaceful people in shops, markets, public places and educational institutions. He sets himself loose on people engaged in worship at mosques, and does not hesitate to tear down places of worship. What do these terroristic acts have to do with Islam? Had there been just a little fear of God and the Afterlife within such people, at least the mosques would have been safe, and the Muslims busy worshipping God would have been in peace. This mindset proves that terrorists have no link with Islam, which is the religion of peace, harmony, safety and tolerance.

¹ Ibid., 9:18.

² Ibid., 2:74.

2.7 KILLING A MUSLIM IS A GREATER SIN THAN DESTROYING THE WORLD

How can wrongdoers who brutally kill peaceful citizens to realize their vicious objectives claim to be the stalwarts of peace and security? They are engaged in the wanton killing of thousands of non-combatant Muslims through their terrorist activities; however, the Prophet declared that killing a Muslim is a greater sin than destroying the whole world.

'Abd Allāh b. 'Amr & reported that the Messenger of God & said,

'Certainly, the passing away of the entire world is less in the sight of God than the murder of a single Muslim'."

'Abd Allah b. Burayda 🔈 reported from his father that the Messenger of God 🚵 said,

'Killing a believer is a more serious matter in the sight of God than the destruction of the entire world'.²

Another report says the killing of a man, without legal authority, is a tragedy more serious than the passing away of the entire world. Al-Barā' b. 'Āzib & reported that the Messenger of God & said,

¹ Narrated by al-Tirmidhī in al-Sunan: Kitāb al-diyāt [The Book of Blood Money], chapter: 'What Has Come to Us Concerning the Gravity of Killing a Believer', 4:16 \$1395; al-Nasā'ī in al-Sunan: Kitāb taḥrīm al-dam [The Book on the Prohibition of Bloodshed], chapter: 'The Sanctity of Blood', 7:82 \$3987; and Ibn Mājah in al-Sunan: Kitāb al-diyāt [The Book of Blood Money], chapter: 'The Gravity of Killing a Muslim Unjustly', 2:874 \$2619.

² Narrated by al-Nasā'ī in al-Sunan: Kītāb taḥrīm al-dam [The Book on the Prohibition of Bloodshed], chapter: 'The Sanctity of Blood', 7:82-83 \$\$3988-3990; al-Tabarānī in al-Mu'jam al-şaghīr, 1:355 \$594; and al-Bayhaqī in al-Sunan al-kubrā, 8:22 \$15647. Imam al-Tabarānī declared this tradition authentic [hasan].

'Certainly, in the estimation of God, the passing away of the whole world is lighter than unjustly shedding the blood of a human being'. I

The humiliating punishment of a murderer who intentionally kills a believer can be understood from the verse wherein God mentioned the punishment of Hell for these sinners with phrases such as 'abide for ages', 'His wrath', 'curse him' and 'dreadful torment'. God says,

'But he who kills a Muslim deliberately, his recompense will be Hell, wherein will he abide for ages. God will afflict him with His wrath and will curse him. And He has prepared for him a dreadful torment'.

2.8 THE MASSACRE OF MUSLIMS IS AN ACT OF DISBELIEF

The Prophet Muhammad & declared that shedding the blood of peaceful Muslims and spreading violence and mischief in society are disbelief and cause one to revert from Islam to disbelief, technically known as apostasy, or irtidād. Imam al-Bukhārī narrates on the authority of 'Abd Allāh b. 'Abbās & that the Messenger of God & said,

'Do not revert as disbelievers after me by striking one another's necks!'3

¹ Narrated by Ibn Abī al-Dunyā in *al-Ahwāl*, p. 190 §183; Ibn Abī ʿĀṣim in *al-Diyāt*, p. 2 §2; and al-Bayhaqī in *Shu ab al-Imān*, 4:345 §5344.

² Qur'ān 4:93.

³ Narrated by al-Bukhārī in al-Ṣahīh: Kıtāb al-fitan [The Book of Tribulations], chapter: 'The Saying of the Prophet , "Do Not Revert to Disbelievers after Me, Striking One Another's Necks!"', 6:2594 \$6668; and al-Tabarānī in al-Mu'jam al-awsat, 4:269 \$4166.

Therefore, committing murder and killing Muslims is a clear act of disbelief, which bears a likeness to apostasy.

2.9 Like Polytheism, Murder is One of the Greatest Wrongs

Ibn Kathīr interpreted the verse,

(وَمَن يَقْفُلُ مُؤْمِنًا مُعَمِّدًا)

'But he who kills a Muslim deliberately'.1

declaring intentional murder a major sin that it is so severe and grave, that God has mentioned it in conjunction with the greatest wrong—that of *shirk*, or idolatry. He writes:

هَذَا تَهْدِيْدٌ شَدِيْدٌ وَوَعِيْدٌ أَكِيْدٌ لِمَنْ تَعَاطَى هَذَا اللَّذْبِ الْمُطْلِمْ، الَّذِي هُوَ مَقْرُونٌ بِالشَّرِّ بِاللهِ فِي غَيْرِ مَا آيَةٍ فِي كِتَابِ اللهِ، حَيْثُ يَقُولُ سُبْحَانَةُ فِي سُورَةِ الْفُرْقَانِ ﴿وَاللَّذِينَ لَا يَدْعُونَ مَمَ اللَّهِ إِلَهُا عَاحَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ وَلَا يَزْنُونَ﴾ وَقَالَ تَعَالَى: ﴿فُلْ تَعَالَوْا أَثْلُ مَا حَرَّمَ رَبُكُمْ عَلَيْكُمْ أَلَّا تُشْرِكُواْ بِهِ شَيْئًا﴾ إِلَى أَنْ قَالَ: ﴿وَلَا تَقْتَلُواْ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ ذَالِكُمْ وَصُكُم بِهِ لَعَلَّكُمْ تَعْقِلُونَ﴾.

This is a stern warning and emphatic Divine threat to those who perpetrate this grievous sin that is connected—in more than one verse in God's Book—with the taking of partners in worship along with God. The Most High says in Sūra al-Furqān, 'And [the believers are] those who do not worship any other god besides God, or kill a soul unlawfully—except with just cause—or commit adultery'. And God says, 'Say [O Prophet], "Come, I will recite to you those things which your Lord has forbidden to you: Do not set up anything as a partner with Him; treat your parents with excellence and do not kill your children owing to poverty. We alone give you sustenance

¹ Qur'ān 4:93.

² Ibid., 25:68.

and [will provide for] them as well. And do not draw near to shameful deeds, be they open or hidden. And do not kill the soul whose [killing] God has forbidden, except when it is justified [legally]. These are the injunctions He has enjoined upon you so that you may apply reason".' [Our'an 6:151]1

As he was delivering his Last Sermon on the eve of the Haji, the Prophet made clear the unlawfulness of killing and pointed out its inherent evil. He said.

إِنَّ دِمَاءَكُمْ وَأَمْوَالَكُمْ وَأَعْرَاضَكُمْ عَلَيْكُمْ حَرَامٌ، كَخْرَمَةِ يَوْمِكُمْ هَذَا، فِي شَهْرُكُمْ هَذَا فِي بَلَدِكُمْ هَذَا، إِلَى يَوْمِ تَلْقُوْنَ رَبُّكُمْ. أَلَا، هَلْ بَلَّغْتُ؟ قَالُوا: نَعَمْ. قَالَ: اللُّهُمُ اشْهَدْ، فَلْيُهَلِّع الشَّاهِدُ الْقَائِبَ، فَرُبُّ مُبَلِّع أَوْعَى مِنْ سَامِع، فَلَا تَرْجِعُوا بَعْدِي كُفَّارًا يَضْرِبُ بَعْضُكُمْ رِقَابَ بَعْض.

'Indeed your blood and your property are inviolable, like the inviolability of this day of yours and this month of yours and this land of yours, until the day you meet your Lord. Listen, have I conveyed the message?' The Companions replied, 'Yes'. He a said, 'O God! Bear witness. Let the one present inform those who are absent, for perhaps the one to whom it is conveyed will retain it better than he who hears it [directly]. Do not revert as disbelievers after me, striking each other's necks'.2

The Messenger of God & has clearly given the judgement in this agreed upon hadith that those who shed blood, engage in violence and acts of terrorism, raise arms and kill Muslims are no longer Muslims; they are disbelievers. The Messenger of God & has removed all doubts about this, using the words, 'Do not revert

Ibn Kathīr, Tafsīr al-Qur'ān al-'Azīm, 1:535.

² Narrated by al-Bukhārī in al-Şahīḥ: Kitāb al-Hajj [The Book of Pilgrimage], 2:620 \$1654, and Kitab al-'ilm [The Book of Knowledge], chapter: 'The Saying of the Prophet & "Many a Person to Whom Something is Conveyed Retains it Better than the One Who Heard It", 1:37 \$67 and Muslim in al-Sahih, 3:1305-1306 \$1679.

as disbelievers after me, striking each other's necks'. This is a clear declaration that those who commit terrorism and mass murder are disbelievers.

Abū Sa'īd al-Khudrī and Abū Hurayra & reported that the Prophet said regarding the murder of a believer,

'Even if all the inhabitants of the heavens and the earth gathered together to shed the blood of a single believer, God would cast them all in the Hellfire'.'

2.10 BLOODSHED IS THE GREATEST OF ALL CRIMES

Mass murder, bloodshed, and unjust killing are such grave offences that God Most High will take those who commit them to task before anything else on the Day of Resurrection. 'Abd Allāh b. Mas'ūd & reported that the Prophet said while describing the enormity of shedding blood unlawfully,

'The first issue that will be judged between people on the Day of Resurrection is that of blood [i.e., murder]'.2

'Abd Allah b. 'Umar & reported that the Prophet * warned about the disastrous consequences of fighting and bloodshed and said,

'Of the serious matters from which no one who brings it

¹ Narrated by al-Tirmidhī in al-Sunan: Kitāb al-dryāt [The Book of Blood Money], chapter: 'The Legal Ruling Concerning Blood', 4:17 \$1398; al-Rabī' in al-Musnad, 1:292 \$757; and al-Daylamī in Musnad al-firdaws, 3:361 \$5089.

² Narrated by al-Bukhārī in al-Ṣahīḥ: Kitāb al-dsyāt [The Book of Blood Money], chapter: 'Whoever Kills a Believer Intentionally', 6:2517 \$6471; Muslim in al-Ṣahīḥ, 3:1304 \$1678; al-Nasā'ī in al-Sunan: Kitāb taḥrīm al-dam [The Book on the Prohibition of Bloodshed], chapter: 'The Sanctity of Blood', 7:83 \$3994; and Aḥmad b. Hanbal in al-Musnad, 1:442.

upon himself and falls into it will escape is that of blood that was shed unlawfully'.

Abū Hurayra 🙉 reported that the Messenger of God 🗯 said, يَعَقَارَبُ الزَّمَانُ، وَيَنْقُصُ الْعِلْمُ، وَيُلْقَى الشُّحُ، وَتَطْهَرُ الْهَنَّنُ، وَيَكُثرُ الْهَرْجُ. قَالُوا: يَا رَسُولَ اللهِ، أَيُّمَا هُوَ؟ قَالَ: الْقَتْلُ، الْقَتْلُ.

'Time will seem to get shorter and knowledge will diminish. Miserliness will surface and tribulations will rise and *haraj* will abound'. The Companions asked, 'O Messenger of God, what is *haraj*?' He said, 'It is killing. It is killing'.²

When peaceful civilians are targets of terrorism, tyranny and barbarism, and are victimized due to doctrinal and ideological differences between the political and religious personalities, the logical consequence is anarchy, chaos, lawlessness and strife. 'Abd Allāh b. 'Umar & said,

كُنَّا قُعُودًا عِنْدَ رَسُولِ اللهِ ﷺ فَلَكُنَ الْهِنَنَ، فَأَكْثَرَ فِي ذِكْرِهَا حَتَّى ذَكَرَ فِشَنَةَ الْأَخَلَاسِ. فَقَالَ قَائِلًا: يَا رَسُولَ اللهِ! وَمَا فِشَنَةُ الْأَخْلَاسِ؟ قَالَ: هِيَ هَرْبٌ وَحَرْبٌ.

'We were once sitting with the Prophet when he described the tribulations. He described them at length, until he mentioned the tribulation of al-ahlās. At that point, someone asked, "O Messenger of God! What is the tribulation of al-ahlās?" The Prophet said, "It is chaos and mass killing"."

¹ Narrated by al-Bukhārī in *al-Ṣaḥīḥ: Kītāb al-dīyāt* [The Book of Blood Money], chapter: 'Whoever Kills a Believer Intentionally', 6:2517 \$6470 and al-Bayhaqī in *al-Sunan al-kubrā*, 8:21 \$15637.

² Narrated by al-Bukhārī in al-Ṣahīh: Kītāb al-fitan [The Book of Tribulation], chapter: 'The Emergence of Tribulations', 6:2590 §6652; and Muslim in al-Ṣahīh: Kītāb al-fitan wa ashrāt al-sā'a [The Book of Tribulations and the Portents of the Final Hour], chapter: 'When Two Muslims Confront Each Other with Their Swords', 4:2215.

³ Narrated by Abū Dāwūd in al-Sunan: Kıtāb al-fitan wa al-malāhim [The Book

2.11 THOSE WHO SUBJECT MUSLIMS TO BURNING THROUGH EXPLOSIONS AND OTHER MEANS BELONG IN THE HELLFIRE

According to the Qur'ān, terrorists who bomb common people, engage in suicide bombings and otherwise kill peaceful people are criminals who are destined to suffer the torments of the Hellfire. The chapter of the Qur'ān, al-Burūj, prohibits the burning of common people:

'Indeed, those who subject the believing men and women to tribulation [fatanū] and then do not repent, for them is the punishment of Hell, and for them is a burning torment'.

Some Qur'anic exegetes interpret the word fatanū as 'burning in fire'. This verse implies that those who burn people through bomb blasts are the inhabitants of the Hellfire. Ibn 'Abbās and Muqātil said, 'The words 'fatanū al-mu'minīna' (subject the believers to tribulation) mean: "They burnt them (the believers) with fire".'2 'Abd b. Ḥumayd and Ibn al-Mundhir reported that Qatāda said regarding the verse, 'Indeed those who subject the believing men and women to tribulation', 'This means killing by burning'.3 Imam al-Qurṭubī and Abū Ḥafṣ al-Ḥanbalī have also given the same interpretation.4

Those who deem it lawful to kill the Muslims are out of the fold of Islam, and are liable to the torment of the blazing fire of Hell. 'Abd Allāh b. Busr & reported that the Messenger of God said,

of Tribulations and Battles], chapter: 'Mention of Tribulations', 4:94 §4242.

¹ Qur'ān 85:10.

² Al-Rāzī, al-Tafsīr al-kabīr, 13:111.

³ Jalāl al-Dīn al-Suyūţī, al-Durr al-manthūr, 8:466.

⁴ Muhammad al-Qurtubī, al-Jāms' li ahkām al-Qur'ān, 19:295; and Abū Ḥafṣ al-Ḥanbalī, al-Lubāb ft ulām al-Kitāb, 20:253.

لَيْسَ مِنِّي ذُو حَسَدٍ وَلا نَمِيْمَةٍ وَلا كَهَانَةٍ وَلا أَنَا مِنْهُ. ثُمُّ قَلَا رَسُولُ اللهِ ﴿ هَذِهِ الْآيَةَ: ﴿وَالَّذِينَ يُؤْدُونَ الْمُؤْمِنِينَ وَالْمُؤْمِنَتِ بِغَيْرٍ مَا الْتَسَبُواْ فَقَدِ اخْتَمَلُواْ بُهُفْنَا وَاثْمًا تُمِينًا﴾

'The envious, the calumnious and the soothsayer are not from me, and I am not from them'. Then the Messenger of God A recited the following verse: 'And those who hurt the believing men and women without their doing anything [wrong], surely they bear the burden of slander and clear sin'. [Qur'ān 33:58]^I

In Imam Fakhr al-Dīn al-Rāzī's exegesis of the Qur'ān, it is written:

إِنْ كِلَا الْمَذَابَيْنِ يَحْصُلُانِ فِي الآخِرَةِ، إِلَّا أَنْ عَذَابَ جَهَتْمَ وَهُوَ الْمَذَابُ الْحَاصِلُ بِسَبَبِ كُفْرِهِمْ، وَعَذَابُ الْحَرِيْقِ هُوَ الْمَذَابُ الزَّائِدُ عَلَى عَذَابِ الْكُفْرِ بِسَبَبِ أَنْهُمْ أَحْرَقُوا الْمُؤْمِنِيْنَ.

'Both punishments will occur in the Hereafter; however, the torment of the Hellfire will be on account of their disbelief, and the burning torment will be an additional punishment meted out to them on account of their burning of the believers'.²

The authors of the Qur'ānic exegesis, Tafsīr al-Jalālayn, also held the same view:

﴿إِنَّ ٱلَّذِينَ فَنَثُوا ٱلْمُؤْمِنِينَ وَالْمُؤْمِنَتِ﴾ بِالإخرَاقِ ﴿ثُمَّ لَمْ يَعُونُوا فَلَهُمْ عَدَابُ جَهَنُمُ﴾ بِكُفْرِهِمْ ﴿وَلَهُمْ عَدَابُ ٱلْحَرِيقِ﴾ أَيْ عَدَابُ إِخْرَاقِهِمُ ٱلْمُؤْمِنِينَ فِي الآخِرَةِ.

"Indeed, those who subject the believing men and women to tribulation [fatanū]" by burning, "and then do not repent, for them is the punishment of Hell" due to their disbelief, "and for them is a burning torment",

¹ Narrated by al-Mundhirī in al-Targhīb wa al-tarhīb, 3:324 \$4275; and Ibn 'Asākır in Tārīkh Dimashq al-kabīr, 21:334.

² Al-Rāzī, al-Tafsīr al-kabīr, 31:111.

76 | FATWA ON TERRORISM AND SUICIDE BOMBINGS

in other words, the punishment in the Hereafter for them having burnt the believers'.

2.12 NO ACT OF WORSHIP PERFORMED BY A MURDERER OF A MUSLIM IS ACCEPTABLE

No act of worship, whether obligatory or supererogatory, performed by the one who kills the Muslims will be accepted. 'Abd Allāh b. al-Şāmit & reported that the Messenger of God said,

'God will not accept any act of worship, obligatory or supererogatory, from the one who attacks a Muslim and kills him'.2

Those who perform acts of worship and acts of vigorous religious discipline, but who also commit violence and murders, are unfortunate creatures whose worship will be rejected. Inflicting humiliation upon humans and expecting deliverance by means of pious acts of worship will only earn them the torment of Hell:

'For them is the punishment of Hell, and for them is a burning torment'.3

2.13 Those Who Torture Muslims Will Face the Torment of Hell

Persecuting members of the Muslim community by subjecting

¹ Jalāl al-Dīn al-Suyūṭī and Jalāl al-Dīn al-Maḥallī, *Tafsīr al-Jalālayn*, 1:801.

² Narrated by Abū Dāwūd in al-Sunan: Kitāb al-fitan wa al-malāḥim [The Book of Tribulations and Battles], chapter: 'The Gravity of Killing a Believer', 4:103 \$4270; al-Tabarānī in Musnad al-Shāmiyyīn, 2:266 \$1311; al-Mundhirī in al-Targhīb wa al-tarhīb, 3:203 \$3691; and cited by al-'Asqalānī in al-Dirāya, 2:259; and al-Shawkānī in Nayl al-awtār, 7:197.

³ Qur'an 85:10.

them to violence, tyranny and brutality is strictly forbidden. God has threatened those who do such deeds with a painful torment:

'Indeed those who subject the believing men and women to tribulation [fatanū] and then do not repent, for them is the punishment of Hell, and for them is a burning torment'.

Those who oppress God's creation will face the consequences of their vicious deeds. Hishām b. al-Ḥakīm & reported that the Messenger of God & said,

'Indeed, God shall inflict His torment upon those who torture people in the life of this world'.2

All of the Imams of Qur'anic exegesis concurred that Hell shall be the abode of those who oppress and torture Muslims. Interpreting this Qur'anic verse, Imam Fakhr al-Dīn al-Rāzī posited that this applies to 'everyone who does that—and this is more fitting, because both the wording and the ruling are general, and so a specification would entail leaving the apparent meaning without proof'. So, it is just as fitting to apply the ruling in these verses to the so-called 'religious' terrorists of today. 4

2.14 THE UNLAWFULNESS OF SUICIDE

Suicide is forbidden in Islam. The one who commits suicide defies God and becomes a resident of Hell. Before examining the revealed texts that forbid suicide, let us consider why it is forbidden.

¹ Ibid.

² Narrated by Muslim in al-Ṣaḥīḥ: Kitāb al-birr wa al-ṣila wa al-ādāb [The Book of Piety, Filial Duty and Good Manners], chapter: 'The Severe Divine Threat for Someone Who Punishes People Unjustly', 4:2018 §2613.

³ Al-Rāzī, al-Tafsīr al-kabīr, 13:111.

⁴ Qur'ān 85:4-10.

Human life is neither owned nor acquired; it is a gift and trust from God. The blessing of life serves as a basis for all other blessings. It is for this reason that Islam directs people to safeguard their lives and forbids suicide. Islam does not allow any human being to take his or her own life. On the contrary, the teachings of Islam emphasize the safety and security of life and body. These teachings aim at preserving human life and ensuring the continuation of humanity.

2.15 THE QUR'ANIC TEXTS AND HADITH REPORTS ON SUICIDE As mentioned earlier, the real owner of life and death is God. So just as murdering a person is akin to murdering all of humanity, so too is suicide considered a despicable act. God says,

'And do not cast yourselves into destruction with your own hands—and adopt righteousness. Verily, God loves the righteous'.

Interpreting verse 30 of Sūra al-Nisā', Imam al-Baghawī cited the aforementioned verse and said.

'It is said that He intended the Muslim who kills himself'.² God also revealed,

'O you who believe! Do not devour one another's wealth unlawfully amongst yourselves unless it is a trade by your mutual agreement, and do not kill yourselves. Surely,

I lbid., 2:195.

² Husayn al-Baghawi, Mā'ālim al-Tanzīl, 1:418.

God is kind to you. But whoever does that through transgression and injustice, We shall soon throw him into the Fire [of Hell] and that is easy for God'.¹

Interpreting this verse, Imam Fakhr al-Dīn al-Rāzī wrote,

'This verse, "And do not kill yourselves", proves that it is unlawful for one to kill someone else or oneself unjustly'.

Moreover, Imam al-Baghawī quoted traditions on the prohibition of suicide, as did Ibn Kathīr³ and al-Thaʿālabī⁴ in their respective exegeses. These traditions, which we reproduce here, prove that the notable Imams of Qurʾānic exegesis considered them proofs for the unlawfulness of suicide. The Prophet said,

'Indeed, your body has a right on you and your eyes also have a right on you'.5

This hadith prescribes that we safeguard life and limb and observe the rights of our bodies. Therefore, killing oneself and others through suicide bombing is a grievous sin. How can one possibly imagine that Islam sanctions self-destruction and the taking of life through wanton acts of terror and suicide bombings? The Prophet ** explicitly declared the act of suicide forbidden when he said, 'The one who commits suicide will go to Hell, and will keep falling into it and will abide there forever'. 6

¹ Qur'ān 4:29-30.

² Al-Rāzī, al-Tafsīr al-kabīr, 10:57.

³ Ibn Kathīr, Tafsīr al-Qur'ān al-'Azīm, 1:481.

^{4 &#}x27;Abd al-Raḥmān al-Tha'ālabī, al-Jawāhır al-ḥisān fī tafsīr al-Qur'ān, 3:293.

⁵ Narrated by al-Bukhārī in *al-Ṣaḥīḥ*: Kitāb al-Ṣawm [The Book of Fasting], chapter: 'The Right of the Body while Fasting', 2:697 §1874.

⁶ Narrated by al-Bukhārī in al-Ṣahīh: Kitāb al-ṭibb [The Book of Medicine], chapter: 'Taking Poison and Using it for Medical Treatment, or Using What May be Dangerous or Impure', 5:2179 \$5442.

In the hadith reports from the Messenger of God , we find that the one who commits suicide is threatened with a severe torment in the Hereafter. Abū Hurayra & reported that the Messenger of God said,

مَنْ تَرَدَّى مِنْ جَهَلٍ فَقَتَلَ نَفْسَهُ فَهُوَ فِي نَارِ جَهَنَّمَ، يَتَرَدَّى فِيْهِ خَالِدًا مُحَلَّدًا فِيهَا أَبَدًا. وَمَنْ تَحَسَّى شَمًّا فَقَتَلَ نَفْسَهُ، فَسُمُّهُ فِي يَدِهِ يَتَحَسَّاهُ فِي نَارِ جَهَنَّمَ خَالِدًا مُحَلِّدًا فِيهَا أَبَدًا. وَمَنْ قَتَلَ نَفْسَهُ بِحَدِيْدَةٍ، فَحَدِيْدَتُهُ فِي يَدِهِ يَجَأَ بِهَا فِي بَطْنِهِ فِي نَارِ جَهَنَّمَ، خَالِدًا مُحَلِّدًا فِيهَا أَبَدًا.

'Whoever throws himself off a mountain, thereby killing himself, he will throw himself down a mountain in Hell forever. And whoever drinks poison, thereby killing himself, he will hold poison in his hand, eternally drinking it in Hell. And if someone kills himself with iron [stabbing himself], he will eternally stab himself with it in Hell'.

Abū Hurayra 🏂 also reported that the Messenger of God 🐞 said,

الَّذِي يَعْلَمُنُ نَفْسَهُ إِنَّمَا يَطْعَنُهَا فِي النَّارِ، وَالَّذِي يَتَقَحَّمُ فِيهَا يَتَقَحَّمُ فِي النَّارِ، وَالَّذِي يَخْتُنُ نَفْسَهُ يَخْتُقُهَا فِي النَّارِ.

'Whoever stabs himself to death will continue to stab himself in Hell. And whoever throws himself off a cliff will continue to throw himself off a cliff in Hell. And

¹ Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kitāb al-tibb [The Book of Medicine], chapter: 'Taking Poison and Using it for Medical Treatment, or Using What May be Dangerous or Impure', 5:2179 \$5442; Muslim in al-Ṣaḥīḥ: Kitāb al-Imān [The Book of Faith], chapter: 'The Strict Forbiddance of Killing Oneself, and if Someone Commits Suicide with Something, He Will be Tormented with the Same Thing in the Hellfire', 1:103 \$109; al-Tirmidhī in al-Sunan: Kitāb al-tibb [The Book of Medicine], chapter: 'What Has Come to Us about Someone Who Kills Himself with Poison or Something Else', 4:386 \$2044; and Abū Dāwūd in al-Sunan: Kitāb al-tibb [The Book of Medicine], chapter: 'Abhorred Medicines', 4:7 \$3872.

whoever hangs himself will continue to hang himself in Hell'."

Thabit b. al-Dahhak 🟂 reported that the Messenger of God 🌲 said,

'Whoever kills himself with something will be tormented by it in the Hellfire'.2

According to these traditions, the method of suicide will continue in Hell as well. That shows the gravity of this sin. Other transgressions will be punished through the torment of Hell, but suicide is such a heinous offence that its method will continue.

2.16 THE CONDEMNATION OF THE LEADERS WHO COMMAND OTHERS TO COMMIT SUICIDE

These aforementioned hadith reports forbid suicide in general; however, some hadith reports particularly forbid unlawful obedience to authorities, as that may cause detriment to the lives of others. We hear many youth in their self-made online

¹ Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kitāb al-janā'iz [The Book of Funeral Rites], chapter: 'What Has Come to Us About Someone Who Kills Himself', 1:459 \$1299; Aḥmad b. Ḥanbal in al-Musnad, 2:435 \$9616; al-Ṭabarānī in Musnad al-Shāmiyyīn, 4:285 \$3311; and al-Bayhaqī in Shu'ab al-Ĭmān, 4:350 \$3626.

² Narrated by al-Bukhārī in al-Ṣahīh: Kitāb al-adab [The Book of Good Manners], chapter: 'If Someone Calls his Brother a Disbeliever Without Any Interpretable Grounds, Then He Himself is What He Said', 5:2264 \$5754; Muslim in al-Ṣahīh: Kitāb al-Imān [The Book of Faith], chapter: 'The Strict Forbiddance of Killing Oneself, and if Someone Commits Suicide with Something, He Will be Tormented with the Same in the Hellfire', 1:104 \$110; Abū Dāwūd in al-Sunan: Kitāb al-aymān wa al-nudhūr [The Book of Oaths and Vows], 3:224 \$3257; al-Nasā'ī in al-Sunan: Kitāb al-aymān wa al-nudhūr [The Book of Oaths and Vows], chapter: 'What Has Come to Us Regarding Oaths Taken by Swearing Disavowal of the Religion [if the Person is Lying] or by Adhering to Another Religion other than Islam', 7:5-6 \$\$3770-3771; and Ahmad b. Hanbal in al-Musnad, 4:33-34 \$\$16434, 16438.

'martyrdom videos' describe their leader's command as the motivation for taking their own lives. They are well-grounded in obedience to their leaders and commanders, but they are unaware of the confines, limits and restraints of obedience. It is extreme foolishness, ignorance and absurdity to destroy the lives of common people in obedience to a leader's command.

'Alī b. Abī Ţālib 🟂 reported,

أَنَّ النَّبِيِّ فَيُهِ بَعَثَ جَيْشًا وَأَمْرَ عَلَيْهِمْ رَجُلًا، فَأَوْفَدَ نَارًا، وَقَالَ: ادْخُلُوهَا. فَأَرَادُوا أَنْ يَدْخُلُوهَا، وَقَالَ آخَرُونَ: إِنَّمَا فَرَرْنَا مِنهَا. فَلَكَرُوا لِلنَّبِيِّ فَيْهِ، فَقَالَ فِيهِ لِلَّذِينَ أَرَادُوا أَنْ يَذْخُلُوهَا: لَوْ دَخُلُوهَا لَمْ يَزَالُوا فِيهَا إِلَى يَوْمِ الْقِيَامَةِ. وَقَالَ لِلْآخَرِيْنَ: لَا طَاعَة فِي مَفْصِيَةٍ. إِنَّمَا الطَّاعَةُ فِي الْمَعْرُوفِ.

"The Messenger of God dispatched a military force and appointed one of the Anṣār as its leader. He then started a fire and said [to them], "Enter it". Some of them were about to enter it, while others amongst them said, "We have only sought to free ourselves from it [by embracing Islam]". When they submitted the episode to the Prophet he said to those who had intended to enter the fire, "If they had entered it, they would have remained in it until the Day of Resurrection". Then he said to the others, "There is no obedience in that which is disobedience. Obedience is only in that which is right"."

In another narration of 'Alī 🟂 found in Imam Muslim's al-Ṣaḥīḥ, it reads:

بَعَثَ رَسُولُ اللهِ ﴿ سَرِيّةٌ وَاسْتَعْمَلَ عَلَيْهِمْ رَجُلًا مِنَ الْأَنْصَادِ، وَأَمَرَهُمْ أَنْ يَسْمَعُوا لَهُ وَيُطِيثُوا، فَأَغْصَنُوهُ فِي ضَيْءٍ، فَقَالَ: اجْمَعُوا لِي حَطّبًا. فَجَمَعُوا لَهُ، فُمْ قَالَ: أَوْقِدُوا نَارًا. فَأَوْقَدُوا، ثُمَّ قَالَ: أَلَمْ يَأْمُرُكُمْ رَسُولُ اللهِ ﴿ إِنَّ أَنْ تَسْمَعُوا لَيْ وَتُطِيتُوا؟ قَالُوا: بَلَى. فَالَ: فَاذْخُلُوهَا. قَالَ: فَنَظْرَ بَعْضُهُمْ إِلَى بَعْضٍ، فَقَالُوا: إِنَّمَا فَرَزَا إِلَى رَسُولِ

¹ Narrated by Muslim in al-Sahīh: Kitāb al-imāra [The Book of Leadership], chapter: 'The Obligation to Obey the Leaders', 3:1469 § 1840.

'The Messenger of God & dispatched a military force and appointed one of the Ansar as its leader. He ordered them [the soldiers] to heed and obey him. The leader became annoved with the troops on account of something and said, 'Gather firewood for me', and they gathered it. Then he said, 'Kindle the fire', and they kindled the fire. Then he said, "Has the Messenger of God A not enjoined you to obey me?" They replied, "Of course". The leader said. "Then plunge yourselves into it". The troops started looking at each other (when they intended to enter itl. They said, "We have fled to the Messenger of God A for the sake of saving ourselves from the Fire". They continued to procrastinate until the fire went out and the leader's anger subsided. When they returned and submitted the episode to the Prophet , he said, "If they had entered it, they would have never come out of it. Obedience is only in that which is right".'1

Those who are motivated to act as suicide bombers should pay heed to this agreed upon hadith narrated from our master 'Alī &. If they obey their commander's orders to attack civilians and kill themselves in the process, then they shall be the fuel of Hell.

2.17 PARADISE IS FORBIDDEN FOR THE ONE WHO COMMITS SUICIDE

The masterminds of terrorism who groom and brainwash young people for suicide bombings and encourage them with dreams of Paradise by means of 'martyrdom' should realize that God has

¹ Narrated by al-Bukhārī in al-Ṣahīħ: Kitāb al-ahkām [The Book of Legal Rulings], chapter: 'The Imam Should be Heeded and Obeyed as Long as it is Not Disobedience', 6:2649 \$6830; and Muslim in al-Ṣahīħ: Kitāb al-imāra [The Book of Leadership], chapter: 'The Obligation to Obey the Leaders', 3:1469 \$1840.

decreed a permanent torment in Hell awaiting those who commit suicide. Jundub b. 'Abd Allāh & reported that the Prophet & said,

'Amongst those before you was a man who was wounded. Unable to bear the pain, he took a knife, sliced his wounded hand and died due to excessive blood loss. God Most High said, "My slave decided to hasten his own demise, so I made Paradise forbidden for him".' 1

Al-Ḥasan al-Baṣrī narrates from Jundub b. ʿAbd Allāh 🙇 that the Messenger of God 🚵 said,

'Certainly, a man before you belonging to the people of the past suffered from a boil. When its pain became too much for him to bear, he drew out an arrow from the quiver and pierced it and the bleeding did not stop until he died. Your Lord said, "I forbid his entrance into Paradise".'2

These hadith reports do not grant permission to someone suffering from a trouble or ailment to kill himself in order to be freed from misery; if someone commits suicide, he has earned Hell for himself.

¹ Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kttāb al-Anbrya' [The Book of the Prophets], chapter: 'What has Been Mentioned About the Children of Israel', 3:1272 §3276; Muslim in al-Ṣaḥīḥ: Kttāb al-Imān [The Book ofFaith], chapter: 'The Severe Prohibition of Killing Oneself, and if Someone Commits Suicide with Something, He Will be Tormented with the Same in the Hellfire', 1:107 §113; and Ibn Ḥibbān in al-Ṣaḥīḥ, 13:329 §5989.

² Narrated by Muslim in al-Ṣahīḥ: Kutāb al-Imān [The Book of Faith], chapter: 'The Strict Prohibition of Killing Oneself, and if Someone Commits Suicide with Something, He Will be Formented with the Same in the Fire of Hell', 1:103 \$109, 1:107 \$113; and Ibn Hibbān in al-Ṣahīḥ, 13:329 \$5989.

2.18 HE WHO COMMITS SUICIDE DURING JIHAD WILL ENTER HELL

According to a hadith narrated in Sahīh al-Bukhārī,¹ a Muslim soldier fought gallantly in one of the military expeditions. The Companions reported his valour to the Messenger of God , but he informed the Companions of his prophetic knowledge, telling them that he was one of the denizens of Hell. Upon hearing this, they felt astonished. Ultimately, when the man, unable to bear his injuries, committed suicide, they understood the reality of what the Prophet said. The one who commits suicide is debarred from Paradise forever, irrespective of his valour and gallant performance as a soldier of God.

Sahl b. Sa'd & said,

إِلْتَقَى النَّبِيُ فِي الْمُسْرِكُونَ فِي بَعْضِ مَعَازِيْهِ، فَاقْتَتَلُوا، فَمَالَ كُلُّ قَوْمِ إِلَى عَسْكَرِهِمْ، وَفِي الْمُسْلِحِيْنَ رَجُلُ لَا يَدَعُ مِنَ الْمُشْرِكِينَ شَاذَةً وَلَا فَاذَةً إِلَّا البّهَهَا، فَعَسْرَبَهَا بِسَيْهِهِ، فَهِيْلَ: يَا رَسُولَ اللهِ، مَا أَجْزَأَ أَحَدٌ، مَا أَجْزَأَ فُلَانَّ. فَقَالَ فَيَّنَ إِنَّهُ فَعَسْرَبَهَا بِسَيْهِهِ، فَهِيْلَ: يَا رَسُولَ اللهِ، مَا أَجْزَأَ أَحَدٌ، مَا أَجْزَأَ فَعَلَ النّهِ فَقَالَ رَجُلٌ مِنَ أَهْلِ النّارِ. فَقَالَ رَجُلٌ مِنَ الْفَوْمِ: لَأَنَّهِمْتُهُ، فَإِذَا أَسْرَعَ، وَأَبْطَأً، كُنتُ مَعَهُ حَتَّى جُرِح، فَاسْتَعْجَلَ الْمُؤتَّ، فَوَضَعَ نِعْسَابَ سَيْهِهِ بِالْأَرْضِ وَذُبَابَهُ بَيْنَ ثَذَيْهِم، ثُمْ تَحَامَلَ عَلَيْهِ، فَقَتَلَ نَفْسَهُ، فَجَاءَ الرَّجُلُ نِعْمَالَ مَلْهِ، فَقَتَلَ نَفْسَهُ، فَجَاءَ الرَّجُلُ إِلْمُ لِللّهِ فَقَلَلَ النّارِ فَقَالَ: إِنَّ اللّهِ فَقَالَ اللّهِ فَقَالَ: إِنَّ اللّهُ مَنْ أَهْلِ النّارِ فَيَعَالَ أَهْلِ النَّارِ . وَيَعْمَلُ بِعَمَلِ أَهُ النَّارِ فَقَالَ اللّهُ وَلَا اللّهُ وَلَا اللّهُ وَلِللّهُ مِنْهُ اللّهُ وَلَا اللّهُ وَلَالًا النّارِ فَيْمَا يَبْدُو لِلنَّاسِ وَهُو مِنْ أَهْلِ النَّارِ فَيْمَا يَعْمَلُ اللّهُ وَلَيْهُ إِللْهُ اللّهُ وَلَالًا اللّهُ وَلَا اللّهُ وَلَالَهُ وَلَالًا اللّهُ وَلَا اللّهُ وَلَا اللّهُ وَلَا اللّهُ وَلَالًا اللّهُ وَلَالًا اللّهُ وَلَا اللّهُ وَلَا اللّهُ وَلَا اللّهُ وَلَالَهُ اللّهُ اللّهُ اللّهُ اللّهُ وَلَا اللّهُ اللللّهُ اللّهُ اللّهُولُ اللّهُ اللّهُ اللّهُ اللّهُ الللّهُ اللّهُ اللللّهُ اللّهُ ال

'The Prophet A and the pagans met in battle, and would fight each other and then go back to their troops. There was a man amongst the Muslims who would not leave

¹ Narrated by al-Bukhārī in al-Ṣaḥīh: Kitāb al-maghāzī [The Book of Military Expeditions], chapter: 'The Expedition of Khaybar', 4:1541 \$3970; Muslim in al-Ṣaḥīḥ: Kitāb al-Īmān [The Book of Faith], chapter: 'The Severe Prohibition of Killing Oneself, and if Someone Commits Suicide with Something, He Will be Tormented with the Same in the Hellfire', 1:106 \$112; Ibn Manda in al-Īmān, 2:663 \$644; and 'Abd b. Humayd in al-Musnad, 1:169 \$459.

any of the pagans who were separated or alone, save that he would go to them and strike them with his sword. Someone said to the Messenger of God . "O Messenger of God! What a great reward that man has! What a great reward indeed!" [Upon hearing] the Messenger of God a said, "Indeed, he is from the people of the Fire". The Companions said, "If he is from the people of the Fire. then who amongst us is from the people of Paradise?" A man amongst them said, "I will follow him around [and keep an eye on himl". He went out with him and stopped whenever he stopped and hurried with him whenever he hurried. When he was wounded, he hastened his death by placing the hilt of his sword in the earth and its point at his breast and then fell on it and committed suicide. The man [who followed him around] went to the Messenger of God & and said, "I bear witness that you are the Messenger of God !" He asked him, "What happened?" The man informed him of what happened, upon which he said, "Indeed, a man will do the acts of the people of Paradise-insomuch as it appears to people—even though he is from the denizens of the Fire; and indeed, a man will do the acts of the people of the Fire-insomuch as it appears to people-even though he is from the people of Paradise"."

Abū Hurayra 🕭 said,

شَهِدْنَا مَعَ رَسُولِ اللهِ ﷺ خَنَيْنًا، فَقَالَ لِرَجُلٍ مِمَّنْ يُدْعَى بِالْإِسْلَامِ: هَذَا مِنْ أَهْلِ النَّارِ. فَلَمَّا حَصَرْنَا الْقِتَالَ، قَاتَلَ الرَّجُلُ قِتَالًا شَدِيْدًا، فَأَصَابَتْهُ جِرَاحَةً. فَقِيْل: يَا رَسُولَ اللهِ، الرَّجُلُ الَّذِي قُلْتَ لَهُ آفِفًا إِنَّهُ مِنْ أَهْلِ النَّارِ، فَإِنَّهُ قَاتَلَ الْيُومَ قِتَالًا صَدِيْدًا،

Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kitāb al-maghāzī [The Book of Military Expeditions], chapter: 'The Expedition of Khaybar', 4:1541 \$3970; Muslim in al-Ṣaḥīḥ: Kitāb al-Imān [The Book of Faith], chapter: 'The Strict Prohibition of Killing Oneself, and if Someone Commits Suicide with Something, He Will be Tormented with the Same in the Fire of Hell', 1:106 \$112; Ibn Manda in al-Imān 2:663 \$644; and 'Abd b. Ḥumayd in al-Musnad, 1:169 \$459.

وَقَدْ مَاتَ. فَقَالَ النَّينُ عِينَ إِلَى النَّارِ. فَكَادَ بَعْضُ الْمُسْلِمِينَ أَنْ يَرْتَابَ، فَبَيْنَمَا هُمْ عَلَى ذَلِكَ إِذْ قِبْلَ: إِنَّهُ لَمْ يَمُتْ وَلَكِنَّ بِهِ جِزَاحًا شَدِيْدًا. فَلَمَّا كَانَ مِنَ اللَّيْلِ لَمْ يَصْبِرُ عَلَى الْجِرَاحِ، فَقَتَلَ نَفْسَهُ، فَأُخْبِرَ النَّبِيُّ ﷺ بِلَاكِ، فَقَالَ: اللهُ أَكْبَرُ، أَشْهَدُ أَنِّي عَبْدُ اللهِ وَرَسُولُهُ. ثُمَّ أَمَرَ بِلَالًا، فَنَاذَى فِي النَّاسِ أَنَّهُ لَا يَدْخُلُ الْجَنَّةَ إِلَّا نَفْسٌ مُسْلَمَةً، وَأَنَّ اللَّهَ يُؤَيِّدُ هَذَا الدِّيْنَ بِالرَّجُلِ الْفَاجِرِ.

'We participated in the Battle of Hunayn along with the Messenger of God . The Messenger a said about a man who was considered to be a Muslim, "This man is from the denizens of the Fire". When we were in the thick of the battle, that man fought bravely and was wounded. Later, someone said to the Messenger of God . "O Messenger of God! That man whom you earlier said is from the denizens of the Fire fought bravely today and died". The Prophet & said, "He is doomed to the Fire". Some of the Muslims Inot grasping what the Prophet & said) were on the verge of doubt. As they were in that state, someone said that he did not die lof his woundsl but he is severely wounded. When nightfall came, he did not endure the pain of his wounds and committed suicide. When the Prophet A was informed of this he said, "God is the Greatest! I bear witness that I am God's servant and Messenger". Then he ordered Bilal to gather people, and he called out to them, proclaiming that only a Muslim soul will enter Paradise and that God aids this religion by means of a sinful person'.1

2.19 THE PROPHET ADID NOT OFFER THE FUNERAL PRAYER OVER PEOPLE WHO COMMITTED SUICIDE

We can infer the gravity of suicide from the fact that the

¹ Narrated by Muslim in al-Sahīh: Kitāb al-Imān [The Book of Faith], chapter: 'The Strict Prohibition of Kılling Oneself, and if Someone Commits Suicide with Something. He Will be Tormented with the Same in the Fire of Hell', 1:106 SIII.

Messenger of God did not offer the funeral prayer over those who committed it. Its seriousness can be further inferred from the fact that the Prophet would supplicate even for his worst enemies and offer the funeral prayer over avowed hypocrites, until the Divine order was revealed, commanding him to abandon that practice—but he would not offer the funeral prayer over the one who committed suicide.

Imam Muslim reported from Jābir b. Samura 🔌 who said,

'Someone who killed himself with a spear was brought to the Prophet 🌺 but he did not pray over him'.

Imam al-Nasā'ī, Abū Dāwūd and Aḥmad b. Ḥanbal cited the same report in the following words:

'Ibn Samura & reported that someone killed himself with a spear and the Messenger of God & said, "As for me, I shall not pray over him".'2

A deep study of Islamic teachings and thought reveals that Islam is a religion of peace, security and protection, and the true believers in the sight of God and His Messenger are those who embody those qualities. Moreover, they also exemplify the lofty qualities of tolerance, forbearance and moderation.

¹ Narrated by Muslim in al-Ṣaḥīh: Kitāb al-janā'iz [The Book of Funeral Processions], chapter: 'On Not Offering Prayer over Someone who Committed Suicide', 2:672 §978.

² Narrated by al-Nasā'ī in al-Sunan: Kitāb al-janā'iz [The Book of Funeral Processions], chapter: 'On Not Offering Prayer over Someone who Committed Suicide', 4:66 §1964; Abū Dāwūd in al-Sunan: Kitāb al-janā'iz [The Book of Funeral Processions], chapter: 'The Imam Should Not Offer Prayer over Someone who Committed Suicide', 3:206 §3185; and Ahmad b. Ḥanbal in al-Musnad, 5:92 §20891.

On the other hand, there are people who—in the name of making God's word uppermost—tread the dangerous path of hatred and prejudice, extremism and violence, injustice and oppression. They murder civilians and seize their wealth. Their claims to Islam are null and void. As false bearers of the banner of Islam and self-appointed defenders of faith, they do not have even the remotest link with Islam.

One can gauge the real value Islam attaches to human life and security from the Qur'ān. It declares that the murder of one individual is equal to murdering all of humanity and declares that it must be awarded capital punishment. Those who indiscriminately kill women and children are warned of a painful chastisement in the Hereafter. Since Islam does not allow the unjust killing of any individual, how can it possibly tolerate suicide attacks, bomb blasts, murder and revolt against the authority of the state that is charged with guaranteeing the safety and security of its citizens? Those who sit on the sidelines, passively participating in terrorism by motivating others to commit murder and shed blood, and those who actively commit violence, both have deviated from the straight path of Islam. Their behaviour brings Islam into disrepute.



CHAPTER 3

THE UNLAWFULNESS OF INDISCRIMINATELY KILLING NON-MUSLIMS AND TORTURING THEM



3.1 NO DISCRIMINATION BETWEEN THE KILLINGS OF MUSLIM AND NON-MUSLIM CITIZENS

In the preceding pages, we demonstrated in the light of the Qur'ān and prophetic traditions that Islam is a religion of peace that guarantees the protection of life, property and honour for all members of society, without any discrimination on the basis of caste, colour, race and religion. In this chapter we will establish that the protection of the life, honour and property of non-Muslim citizens living in any Islamic state or any non-Muslim country is a binding duty upon the Muslims in general and the Islamic state in particular.

On the occasion of his Last Sermon, the Prophet & said, guaranteeing the protection of life, property and honour of the whole humankind,

'Indeed your blood and your property and your honour are inviolable, like the inviolability of this day of yours and this month of yours and this land of yours until the day you meet your Lord'. I

Therefore, it is completely forbidden to kill anyone unjustly, or plunder his wealth, or humiliate him or malign his honour.

Following this principle, killing Muslim and non-Muslim citizens—wherever they reside—is strictly prohibited on the basis of equality. It is clearly stated in the Qur'ān,

¹ Narrated by al-Bukhārī in al-Ṣahīḥ: Kitāb al-Ḥajj [The Book of Pilgrimage], chapter: 'The Sermon During the Days of Mina', 2:620 §1654; and Muslim in al-Ṣaḥīḥ, 3:1305-1306 §1679.

'Whoever kills a person [unjustly], except as a punishment for murder or [as a prescribed punishment for spreading] disorder in the land, it is as if he killed all of humanity'.

This verse uses the word 'person' [nafs], which is a general expression that gives the verse a broad-based application. So in other words unjust killing is completely forbidden, no matter what religion, language or citizenship is held by the victim. This is a sin as grave as killing the whole of humanity. Therefore, the killing of non-Muslim citizens living in an Islamic state falls in the same category.

3.2 THE MASSACRE OF CIVILIAN POPULATION AND CONSIDERING IT LAWFUL IS AN ACT OF DISBELIEF

Killing a person is akın to disbelief. Imam Abū Manşūr al-Māturīdī, one of the Imams of Ahl al-Sunna² in theology, interpreted the verse:

'Whoever kills a person [unjustly], except as a punishment for murder or [as a prescribed punishment for spreading] disorder in the land, it is as if he killed all of humanity'3

declaring that murder can be an act of disbelief. He wrote:

مَنِ اسْتَحَلَّ قَطْلَ نَفْسِ حَرَّمَ اللهُ قَتَلَهَا بِغَيْرِ حَقَّ، فَكَانَّمَا اسْتَحَلَّ قَتْلَ النَّاسِ جَمِيهُا، لِأَنَّهُ يَكُفُرُ بِاسْتِحَلَالِهِ قَتْلَ نَفْسٍ مُحَرَّمَ قَتَلُهَا، فَكَانَ كَاسْتِحْلَالِ قَتْلِ النَّاسِ جَمِيتُهَا، لِأَنَّ مَنْ كَفَرَ بِآيَةٍ مِنْ كِتَابِ اللهِ يَعِيمُرُ كَافِرًا بِالْكُلِّ. . . .

وَتَحْتَمِلُ الْآيَةُ وَجُهَّا آخَرَ، وَهُوَ مَا قِيْلَ: إِنَّهُ يَجِبُ عَلَيْهِ مِنَ الْقَتْلِ مِثَلَثُمَا أَنَّهُ لُوْ فَعَلَ

¹ Qur'ān 5:32.

² Abl al-Sunna: Literally, the people of the prophetic practice; the orthodox, Sunni majority, represented by the theological schools of Abū al-Ḥasan al-Ash'arī and Abū Manṣūr al-Māturīdī and the four Sunni schools of jurisprudence. Ed.

³ Qur'ān 5:32.

النَّاسَ جَمِيهًا. وَوَجْمَة آخَرُ: أَنَّهُ يَلْزَمُ النَّاسَ جَمِيهًا دَفْعُ ذَلِكَ عَنْ نَفْسِهِ وَمَعُونَفَهُ لَهُ، فَإِذَا فَتَلَهَا أَوْ سَمَى عَلَيْهَا بِالْفَسَادِ، فَكَالَمًا سَعَى بِذَلِكَ عَلَى النَّاسِ كَافَّةً. . . . وَهَذَا يَدُلُّ أَنَّ الْآيَةَ نَزَلَتْ بِالْحُكْمِ فِي أَهْلِ الْكُفْرِ وَأَهْلِ الْإِسْلامِ جَمِيْها، إِذَا سَعَوًا فِي الْأَرْضِ بِالْفَسَادِ.

Whoever declares lawful the killing of a person whose killing has been forbidden by God (except when there is a valid reason), it is as if he considers it lawful to kill all of humanity. This is because he disbelieves by his declaring lawful the killing of one whose killing is unlawful, which is akin to declaring lawful the killing of humanity entire; because the one who disbelieves in one verse from God's Book disbelieves in the whole of it.

This verse contains another possible angle of interpretation, and it is as has been said: His murder of one person entails the same burden [in the Hereafter] as if he killed humanity entire. Another possible angle of interpretation is that it is necessary for everyone to make a collective effort to help and save the peaceful person from murder. So, when the murderer kills that harmless soul or attempts to harm it, it is as if he is attempting to do that to everyone. . . . This indicates that the verse was revealed as a ruling for the people of disbelief and the people of Islam together, if they sow corruption in the earth. I

In his al-Lubāb fī 'ulūm al-Kitāb, Abū Ḥafṣ al-Ḥanbalī interpreted the Qur'ānic verse, 'it is as if he killed all of humanity', and declared that the murder of one individual is comparable to the killing of all of humanity, and he quoted the sayings of different Imams in support of this position.

قَالَ مُجَاهِدٌ: مَنْ قَتَلَ نَفْساً مُحَرَّمَةً يَصْلَى النَّارَ بِقَتْلِهَا، كُمَا يَصْلَاهَا لَوْ قَتَلَ النَّاسَ

¹ Abū Manşūr al-Māturīdī, Ta'wılāt Ahl al-Sunna, 3:501.

² Qur'an 5:32.

جَمِيمًا. وَقَالَ قَتَادَةُ: أَعْظَمَ اللهُ أَجْرَهَا وَعَظَمَ وِزْرَهَا، مَغَنَاهُ: مَنِ اسْتَحَلُّ قَتْلُ مُسْلِم بِغَيْرِ حَقْدٍ، فَكَالُتُمَا قَتَلَ النَّاسَ جَمِيمًا ﴾، بِغَيْرِ حَقْدٍ، فَكَالُمَا قَتَلَ النَّاسَ جَمِيمًا ﴾، يَغْنِي: أَلَهُ يَجِبُ عَلَيْهِ مِنَ الْقِصَاصِ بِقَتْلِهِا، مِثْلُ الَّذِي يَجِبُ عَلَيْهِ لَوْ قَتَلَ النَّاسَ جَمِيمًا.

قَوْلُهُ تَعَالَى: ﴿إِنَّنَا جَزَآؤَا الَّذِينَ يُحَارِبُونَ اللَّهَ وَرَسُولُهُ وَيَسْمَوْنَ فِي الْأَرْضِ فَسَادًا أَن يُقَتَّلُواْ أَوْ يُصَلِّبُواْ أَوْ تُقطِّعَ أَيْدِيهِمْ وَأَرْجُلُهُمْ مِّنْ جِلَفِ أَوْ يُنتَقُوا مِنَ الْأَرْضِ ذَالِكَ لَهُمْ حِزْيٌ فِي اللَّذُيْنَا وَلَهُمْ فِي الْأَحِرَةِ عَذَاتٌ عَظِيمٌ. إِلَّا اللَّذِينَ تَابُواْ مِن قَبْلِ أَن تَقْدِرُواْ عَلَيْهِمْ فَاعْلَمُواْ أَنَّ اللَّهَ غَفُورٌ رَّحِيمٌ﴾

وَقَوْلُهُ: ﴿ يُحَارِبُونَ ٱللَّهُ ﴾، أَيْ: يُحَارِبُونَ أَوْلِيَاءَهُ، كَذَا قَدَّرُهُ الْجُمْهُورُ. وَقَالَ الزَّمَحْشَرِيُّ: يُحَارِبُونَ رَسُولَ اللهِ، وَمُحَارَبَةُ الْمُسْلِمِيْنَ فِي حُكْمِ مُحَارَبَهِ. نَوَلَتْ هَذِهِ الآيَةُ فِي قُطَّاعِ الطَّرِيْقِ مِنَ الْمُسْلِمِيْنَ. (وَهَذَا قَدْلُ) أَكْثَرَ الْفُقَهَاءِ.

أَنْ قَوْلُهُ تَعَالَى: ﴿ اللَّذِينَ يُحَارِبُونَ اللَّهَ وَرَسُولُهُ وَيَسْمَوْنَ فِي الْأَرْضِ فَسَادًا ﴾ يَتَنَاوَلُ كُلُ مَنْ يُوصَفُ بِهَذِهِ، سَوَاءٌ كَانَ مُسْلِمًا أَوْ كَافِرًا، وَلَا يَقَالُ: الْآيَةُ مَزَلَتْ فِي الْكُفْارِ، لِأَنْ الْمِبْرَةَ بِمُعُومِ اللَّبْبِ، فَإِنْ قِبْلَ: الْمُحَارِبُونَ هُمُ الَّذِينَ يَجْمَعُونَ وَلَهُمْ مَنَعَةً، وَيَقْصِدُونَ الْمُسْلِمِينَ فِي أَزُواجِهِمْ وَدِمَائِهِمْ، وَاتَّفَقُوا عَلَى يَجْمَعُونَ وَلَهُمْ مَنَعَةً، وَالْفُهْوا عَلَى أَنْ هَذِهِ الصَّفَةَ إِذَا حُصِلَتْ فِي الصَّحْرَاءِ كَانُوا قُطْاعَ الطَّرِيقِ، وَأَمَّا إِنْ حُصِلَتْ فِي الْمُدُنِ يَكُونُونَ أَعْظَمَ ذَنْهُ فَلَا أَلُولًا مِنَ الطَّرِيقِ، هَذَا الْحَدُّ عَلَيْهِمْ، قَالُوا: وَإِنْهُمْ فِي الْمُدُنِ يَكُونُونَ أَعْظَمَ ذَنْهُ فَلَا أَفَلُ مِنَ الْمُدُنِي مَعْدِ وَالشَّافِيعُ: هُمْ أَيْصًا فُطَاعُ الطَّرِيقِ، هَذَا الْحَدُّ عَلَيْهِمْ، قَالُوا: وَإِنْهُمْ فِي الْمُدُنِ يَكُونُونَ أَعْظَمَ ذَنْهَا فَلَا أَقَلُ مِنَ الْمُدُنِي مَا اللَّهُ عَلَيْهِمْ كَسَائِوا أَوْ الْمُعْمَارِهُ وَالْمُعْمَارُونَ الْمُعْلَمُ وَلَا الْحَدُّ عَلَيْهِمْ، قَالُوا: وَإِنْهُمْ فِي الْمُدُنِ يَكُونُونَ أَعْظَمَ ذَنْهَا فَلَا أَوْلً مِنَ الْمُدُودِ .

Mujāhid said, 'If someone kills a soul unjustly, he will go to Hell due to that murder, just as he would have gone to Hell if he killed humanity entire'. Qatāda said, 'God has made the reward for saving it [a life] tremendous and made the burden of sin [for taking a life unjustly] tremendous, too. This means that whoever declares it lawful for himself to kill a Muslim, it is as if he killed all

humanity'. Interpreting the same verse, al-Hasan al-Basrī said, 'This means that he is liable to legal retribution [aisās] for killing it [the sinless soull as would be the person who killed all of humanity'.

God savs: 'Indeed, those who wage war against God and His Messenger and remain engaged in creating mischief in the land [i.e., perpetrate terrorism, robbery and burglary amongst people], their punishment is that they should be slain, or crucified, or their hands and their feet on opposite sides should be cut off, or that they should be exiled from the land. That is for them a humiliation in this world, and for them there is a terrible torment in the Hereafter-except those who turn to God in repentance before you overpower them. So, know that God is Most Forgiving, Ever-Merciful'.1

The phrase in the verse, 'vuhāribūn Allāh' ('wage war against God'), implies that they wage war against the friends of God. That is the interpretation maintained by the overwhelming majority of scholars, Al-Zamakhshari said, 'They wage war against the Messenger of God, and waging war against the Muslims takes the same ruling as waging war against him'. This verse was revealed about the brigands [highway robbers: auttā' al-tarīa] amongst the Muslims, and Ithis position is held by most of the iurists.2

Indeed, God's statement, 'Those who wage war against God and His Messenger and remain engaged in creating mischief in the land', includes everyone who possesses these traits, whether he is a Muslim or a disbeliever. One cannot object or claim that the verse was revealed regarding the disbelievers, because the point consideration is the generality of its expression, not the particular circumstance in which it was revealed.3 If it is

¹ Ibid., 5:33-34.

² Husayn al-Baghawī, Ma'ālim al-Tanzīl, 2:33; and al-Rāzī, al-Tafsīr al-kabīr,

³ This is a maxim of Our anic hermeneutics. Ed.

said that those who wage war [muhāribūn] are those who join forces and who possess power and target the Muslims in their lives and wealth, and that they [the scholars] agree that if these traits are found amongst people of the desert wastelands—then they are brigands. And if these traits are adopted by a group residing in cities, al-Awzā'ī, Mālik, Layth b. Sa'd and al-Shāfi'ī all agree that they, too, are considered brigands and that the same prescribed punishment is to be applied against them. They stated that when their crimes take place in populated areas the sin is severer. They inferred this from the aforementioned verse and the generality of its expression, and because it is a prescribed punishment, and therefore it is no different from the other prescribed punishments.¹

3.3 THE KILLING OF NON-MUSLIM CITIZENS MAKES PARADISE FORBIDDEN FOR THE KILLER

The non-Muslim citizens of an Islamic state enjoy the same rights and safeguards as their Muslim counterparts. The first right endowed upon them by the Islamic state is that of protection against external aggression and domestic oppression and encroachments, so they can live their life peacefully, inwardly and outwardly.

Abū Bakra 🟂 reported that the Prophet 🗯 said,

'Any Muslim who unjustly kills a non-Muslim with whom there is a peace treaty [mu'āhad], God will make Paradise forbidden for him'.²

^I Abū Ḥafş al-Ḥanbalī, al-Lubāb fī 'ulūm al-Kıtāb, 7:301.

² Narrated by al-Nasā'ī in al-Sunan: Kitāb al-qasāma [The Book of Apportioning Wealth], chapter: 'The Gravity of Killing Non-Muslim Citizens', 8:24 \$4747; Abū Dāwūd in al-Sunan: Kitāb al-jihād [The Book of Sacred Martial Struggle], chapter: 'Fulfilling the Contract of a Non-Muslim Citizen and the Sanctity of His Contract', 3:83 \$2760; Aḥmad b. Ḥanbal in al-Musnad, 5:36, 38 \$\$20393, 20419; al-Dārimī in al-Sunan, 2:308 \$2504; and al-Ḥākim in al-Mustadrak, 2:154 \$2631. Al-Ḥākim said, 'This is a tradition with a rigorously authentic

'Abd Allāh b. 'Umar ﷺ reported that the Prophet ﷺ said, مَنْ فَعَلَ مُعَاهَدًا لَمْ يَرِحْ رَاثِحَةَ الْجُنَّةِ، وَإِنَّ رِبْحَهَا لُوجَدٌ مِنْ مَسِيْرَةِ أَرْبَعِيْنَ عَامًا.

'Anyone who kills a non-Muslim under treaty [mu'āhad] will not smell the fragrance of Paradise, even though its fragrance can be smelt at a distance of forty years'.

Therefore, the one who unjustly murders a non-Muslim citizen will not approach Paradise; rather, he will be kept away from it by a distance of forty years. Commenting on this hadith, Anwar Shāh Kāshmīrī writes in his book Fayḍ al-Bārī:

فَوْلُهُ ﷺ: مَنْ فَتَلَ مُمَاهَدًا لَمْ يَرِحْ رَائِحَةَ الْجَنَّةِ، وَمُخُ الْحَدِيْثِ: إِنَّكَ أَيْهَا الْمُحَاطِّبُ: وَمُخُ الْحَدِيْثِ: إِنَّكَ أَيْهَا الْمُحَاطِّبُ: فَإِنَّ شَنَاعَتُهُ بَلَغَتْ مَبْلَغَ الْمُعَالِمِ مِنَ الْإِثْمِ، فَإِنَّ شَنَاعَتُهُ بَلَغَتْ النَّصُّا لَيْسَ بِهَيِّنٍ، فَإِنَّ قَاتِلُهُ أَيْضًا النَّصَ بِهَيِّنٍ، فَإِنَّ قَاتِلُهُ أَيْضًا لَا يَجِدُ رَائِحَة الْجَنَّةِ.

لا يَجِدُ رَائِحَة الْجَنَّةِ.

Regarding his statement , 'Anyone who kills a non-Muslim under treaty [mu'āhad] will not smell the fragrance of Paradise, even though its fragrance can be smelt at a distance of forty years', the quintessential meaning of it, dear brother, can be expressed as such: You know the gravity of sin for killing a Muslim, for its odiousness has reached the point of disbelief, and it necessitates that [the killer abides in Hell] forever. As for killing a non-Muslim citizen [mu'āhad], it is similarly no small matter, for the one who does it will not smell the fragrance of Paradise.²

chain of transmission'.

¹ Narrated by al-Bukhārī in al-Ṣahīh: Kītāb al-Jīzya [The Book of Taxation for Non-Muslims Living in an Islamic State], chapter: 'The Sin of Someone Who Kills a Non-Muslim Citizen Without His Having Committed a Crime', 3:1155 \$2995; Ibn Mājah in al-Sunan: Kītāb al-dīyāt [The Book of Blood Money], chapter: 'Someone Who Kills a Non-Muslim Citizen', 2:896 \$ 2686; al-Bazzār in al-Musnad, 6:368 \$2383.

² Anwar Shāh Kāshmīrī, Fayḍ al-Bārī ʿalā Ṣaḥīh al-Bukhārī, 4:288.

3.4 THE UNLAWFULNESS OF KILLING FOREIGN DELEGATES AND RELIGIOUS LEADERS

Islam teaches peace and tolerance in national and international affairs. According to the teachings of the Qur'an and hadith, it is forbidden to kill a diplomat hailing from a hostile nation who comes to a Muslim state for the purpose of diplomacy. Many non-Muslim diplomats and delegates would come to the Prophet on various occasions and he not only treated them with the utmost respect, but also instructed his Companions to treat them well. It is even recorded that the representatives of Musaylama the liar, a false claimant to prophethood, visited the Prophet and confessed to their apostasy, yet the Prophet treated them well because they were diplomats. 'Abd Allah b. Mas'ūd asaid,

إِنِّي كُنْتُ عِنْدَ رَسُولِ اللهِ ﷺ جَالِسًا إِذْ دَحَلَ هَذَا رَعَبُدُ اللهِ بْنُ نُوَاحَةً) وَرَجُلُّ وَافِدَيْنِ مِنْ عِنْدِ مُسَيِّلْمَةً. فَقَالَ لَهُمَا رَسُولُ اللهِ ﷺ. أَتَشْهَدَانِ أَنِّي رَسُولُ اللهِ؟ فَقَالَا لَهُ: نَشْهَدُ أَنَّ مُسَيِّلْمَةً رَسُولُ اللهِ، فَقَالَ: آمَنْتُ بِاللهِ وَرُسُلِهِ، لَوْ كُنْتُ قَاتِلًا وَافِدًا لَقَتَلْتُكُمَا.

'I was in the presence of God's Messenger when this man ['Abd Allāh b. Nuwāḥa] and another man came as official representatives of Musaylama (the liar). The Messenger of God asked them, "Do you bear witness that I am the Messenger of God?" They said to him, "We bear witness that Musaylama is the Messenger of God!" The Messenger of God said to them, "I believe in God and His Messengers. Were I to execute ambassadors, I would have executed both of you".'

See that despite the apostasy and disbelief of Musaylama's followers, extreme tolerance was shown towards them. They were not punished in any way. Because they were diplomats, they were

¹ Narrated by al-Dārimī in al-Sunan, 2:307 \$2503; Aḥmad b. Hanbal in al-Musnad, 1:404 \$3837; al-Nasā'ī in al-Sunan al-kubrā, 5:205 \$8675; Abū Ya'lā in al-Musnad, 9:31 \$5097; and al-Ḥākim in al-Mustadrak, 3:54 \$4378.

neither imprisoned nor ordered to be killed.

According to a narration in the Musnad of Ahmad b. Hanbal, the Musannaf of 'Abd al-Razzāq [al-Ṣan'ānī]² and the Musnad of al-Bazzār,³ it is impermissible to kill either diplomats or their diplomatic staff.

The aforementioned hadith establishes that safeguarding the life of diplomats and foreign representatives is the Sunna of the Prophet . Abd Allah b. Mas'ūd a said,

'It is an established Sunna that ambassadors are not to be killed'.4

This statement of the Messenger of God set the precedent in international law with respect to diplomatic protection. This further illustrates that all the personnel staffed in an embassy on diplomatic assignments are entitled to the same treatment, and it is impermissible to kill them. In recent years in Pakistan and other parts of the world there have been a number of incidents where foreign diplomats and engineers have been kidnapped and killed. Unfortunately, those who commit these actions continue to call themselves Mujāhidūn [those who wage martial jihad] despite the fact that their actions completely contravene the teachings of the Prophet.

Just as foreign diplomats enjoy sanctity and protection in Islamic law, so too do non-Muslim religious leaders; it is strictly forbidden to kill them. 'Abd Allāh b. 'Abbās & said,

'When the Messenger of God & would dispatch his troops

¹ Narrated by Ahmad b. Hanbal in al-Musnad, 1:390, 396 §3708, 3761.

² Narrated by 'Abd al-Razzāq in al-Muşannaf, 10:196 §18708.

³ Narrated by al-Bazzār in al-Musnad, 5:142 \$1733.

⁴ Narrated by Ahmad b. Hanbal in al-Musnad, 1:390 §3708.

he would say [to them], "Do not act treacherously, do not steal the spoils of war, do not disfigure the dead bodies, and do not kill children and priests"."

This hadith establishes that, even during times of war—let alone in normal circumstances—it is impermissible to kill religious leaders.

3.5 The Retribution $[Q_{1}, A_{2}]$ of Muslims and Non-Muslims is the Same

In Islam, retribution is necessary when someone murders someone else intentionally, whether the victim is Muslim or non-Muslim; however, the payment of monetary compensation [diya] is obligatory if it was an accidental killing. God says:

'And there is a [guarantee of] life for you in retribution, O wise people, so that you may guard [against bloodshed and destruction]'.2

Regarding unintentional killing, God says,

'Whoever kills a Muslim unintentionally shall [be liable to] free a male or female Muslim and pay blood money, to be handed over to the heirs of the person slain, unless they forgo it'.

In the former verse, retribution, or the command to kill the murderer for his crime of murder, has been described. There is a complete consensus amongst the Muslim community that the unjust killer should be killed by way of retribution, unless the

¹ Narrated by Ahmad b. Hanbal in al-Musnad, 1:330 \$2728; Ibn Abī Shayba in al-Muşannaf, 6:484 \$33132; Abū Ya'lā in al-Musnad, 4:422 \$2549; and mentioned by Ibn Rushd in Bidāyat al-muṭtahid, 1:281.

² Qur'ān 2:179.

³ Ibid., 4:92.

heirs of the killed pardon the killer. The latter verse mentions monetary compensation. In Islamic law, if someone accidently and unintentionally kills someone else, he or she is ordered to pay blood money to the heirs of the killed.

'Abd al-Raḥmān b. Baylamānī 🙈 said,

'There was a man from the Muslims who killed a man from the People of the Book.' The case was presented to the Prophet and he said, "I am most responsible of all for fulfilling the rights of those under his care [non-Muslim citizens]". Then he ordered [the killing of the Muslim killer by way of retribution] and he was killed'.2

The Prophet & explained retribution and monetary compensation in the following words:

'If someone's relative is killed, or if one of his extremities is cut off, he may choose one of three options: he may retaliate, forgive or receive compensation. But if he wishes a fourth [something that exceeds the bounds set by the Shariah], you must hold him back [for God says,] "After this, whoever exceeds the limits shall receive a painful punishment" [Qur'ān 5:94].'3

¹ Ahl al-Kıtāb, or, 'the People of the Book', is a term designating the Jews and the Christians. Ed.

² Cited by al-Shāfi'ī in al-Musnad, p. 343; narrated by Abū Nu'aym in Musnad Abī Ḥanīfa, p. 104; cited by al-Shaybānī in al-Mabsūt, 4:488; and narrated by al-Bayhaqī in al-Sunan al-kubrā, 8:30 \$15696.

³ Narrated by Abū Dāwūd in al-Sunan: Kstāb al-dryāt [The Book of Blood Money], chapter: 'The Leader Should Urge Forgiveness in the Matter of Shedding

It is clearly established from these prophetic traditions that Muslims and non-Muslims share an equal status with respect to monetary compensation and retribution. According to one report, 'Alī b. Abī Tālib & said.

'If a Muslim kills a Christian, he should be killed in retribution'. I

The Prophet A also granted non-Muslims the same rights with regard to monetary compensation. He A said,

'The blood money for a [peaceful] Jew, a Christian and every non-Muslim citizen is like that of the Muslim [i.e., their heirs receive the same amount of monetary compensation as a Muslim family]'.2

Imam Abū Ḥanīfa 🔌 said,

'The blood money for a [peaceful] Jew, Christian or Zoroastrian is equal to that of a free Muslim'.³

Imam Ibn Shihāb al-Zuhrī said,

'During the reigns of Abū Bakr, 'Umar, 'Uthmān and 'Alī , the blood money for a non-Muslim citizen was equal to that of a free Muslim'.

Blood', 4:169 \$4496; and 'Abd al-Razzāq in al-Muşannaf, 10:86 \$18454.

¹ Cited by al-Shaybānī in al-Hujja, 4:349; and al-Shāfi'ī in al-Umm, 7:320.

² Narrated by 'Abd al-Razzāq in al-Muşannaf, 10:97-98; and cited by Ibn Rushd in Bidāyat al-muṭtahid, 2:310.

³ Narrated by Ibn Abī Shayba in al-Muşannaf, 5:407 §27448; and 'Abd al-Razzāq in al-Muşannaf, 10:95, 97, 99.

⁴ Cited by al-Shaybanī in al-Hujja, 4:351; and al-Shāfi'ī in al-Umm, 7:321.

The position of the Hanafī school of jurisprudence, is that a Muslim should be killed in retribution for killing a non-Muslim citizen. This position is supported by the general import of the texts within the Qur'an and hadith, which make retribution obligatory. Muslim and non-Muslim blood shares an equal amount of inviolability and sanctity, without any discrimination. Imam al-Nakha'ī, Ibn Abī Laylā, al-Sha'bī and 'Uthmān al-Battī also share this view held by the Hanafī school.

A doubt may emerge from hearing the saying of the Prophet &,

لَا يُقْتَلُ مُسْلِمٌ بِكَافِرٍ.

'A Muslim is not to be killed in retaliation for murdering a disbeliever'.

So what does it mean? The jurists explained this and said that here the word 'disbeliever' does not imply a peaceful citizen: it signifies a combatant who is killed. There is to be no retribution in this case. This is an international law in effect in all countries of the world and there is no difference of opinion about it.

The great jurist and Qur'anic exegete, Imam al-Jassas, stated that in this hadith, 'a disbeliever' means the non-Muslim in a state of war. It does not mean the non-Muslim who is a citizen of an Islamic state or a peaceful non-Muslim citizen of a non-Muslim state.²

3.6 THE UNLAWFULNESS OF HARMING A NON-MUSLIM CITIZEN OUT OF REVENGE

According to the Qur'an and Sunna, every person is responsible for his or her actions. According to this rule, only the doer of an act of injustice is liable to punishment, and no one else can be held responsible for that. The punishment for his or her crime cannot be awarded to his or her family, friends or tribe. God says,

¹ Narrated by al-Bukhārī in al-Şahīh: Kutāb al-'ılm [The Book of Knowledge], chapter: 'On Writing Down Knowledge', 1:53 §111.

² Cıted by Abū Bakr al-Jaşşāş ın *Aḥkām al-Qur'ān*, chapter: 'A Muslim's Murder of a Dısbeliever', pp. 140–144.

'And whatever [sin] each soul earns [its evil outcome] falls back upon it. And no bearer of burden will bear another's burden. Then you are to return to your Lord alone, and He will inform you of that wherein you used to differ'.

Islam does not allow anyone to punish common people for the oppressive actions of oppressors. The Prophet & said,

'No man amongst them [the peaceful non-Muslim citizens] shall be punished as a penalty for the injustice of a coreligionist'.2

All of this clearly demonstrates that those who seek to exact revenge by terrorising and killing people from other nations oppose and violate the manifest Qur'ānic injunctions and prophetic traditions.

3.7 THE UNLAWFULNESS OF USURPING THE WEALTH OF NON-MUSLIMS

In Islam, it is unlawful to usurp the wealth of others. God says,

'And do not eat up one another's wealth amongst yourselves through injustice, nor take wealth to the authorities [as a bribe] so that, this way, you may swallow

¹ Qur'ān 6:164.

² Cited by Abū Yūsuf in Kitāb al-kharāj, p. 78; and al-Balādhurī in Futūh al-buldān, p. 90.

a portion of others' wealth unfairly, while you are aware [that this is a sin]'. I

The Prophet has also forbidden the pilfering of others' wealth and property. He said,

إِنَّ دِمَاءَكُمْ وَأَمْوَالَكُمْ عَلَيْكُمْ حَرَامٌ.

'Indeed, your blood and your property are unlawful to you'.2

Like the life of non-Muslim citizens, the protection of their property is also the responsibility of the Muslim state. There is a consensus amongst the Muslims over this matter. Imam Abū 'Ubayd al-Qāsim b. Sallām, Ibn Zanjawayh, Ibn Sa'd and Abū Yūsuf have all cited the provision of the Prophet's agreement with the Christians of Najran:

وَلِنَجْرَانَ وَحَاشِيَتِهَا جَوَارُ اللهِ وَذِمَّةُ مُحَمَّدِ رَسُولِ اللهِ ﷺ، عَلَى أَمْوَالِهِمْ وَأَنْفُسِهِمْ وَأَرْضِهِمْ وَمِلْتِهِمْ، وَغَائِيهِمْ وَشَاهِدِهِمْ، وَعَشِيرَتِهِمْ وَبَيْهِمْ، وَكُلِّ مَا تَحْتَ أَيْدِيْهِمْ مِنْ قَلِيلٍ أَوْ كَنِيْرٍ.

'Indeed, Najran and her allies are under the protection of God and the guarantee of the Messenger of God. They are to be protected in their wealth, lives, lands and religion; this includes those who are present and those who are absent amongst them; and their families, goods and everything in their possession, be it plentiful or scarce'.

The letter 'Umar wrote to Abū 'Ubayda &, the then Governor of Syria, also contains similar provisions,

¹ Qur'ān 2:188.

² Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kutāb al-Ḥajī [The Book of Pilgrimage], chapter: 'The Sermon During the days of Mina', 2:620 §1654.

³ Cited by Abū Yūsuf ın al-Kharāl, 78; Abū 'Ubayd al-Qāsım b. Sallām in Kıtāb al-amwāl, p. 244-245 \$503; Ibn Sa'd in al-Tabaqāt al-kubrā, 1:288, 358; Ibn Zanjawayh in Kıtāb al-amwāl, pp. 449-450 \$732; and al-Balādhurī ın Futūḥ al-buldān, p. 90.

'See to it that you prohibit the Muslims [under your command] from oppressing them [the non-Muslim citizens], harming them or illegally plundering their wealth'.

'Alī b. Abī Ṭālıb & said,

'The non-Muslim citizens pay the tax' so that their blood and property should be as inviolable as ours'.

So much importance has been associated with the life, property and honour of the non-Muslim citizens that the Muslim state has been equally charged with protecting them as it protects the Muslim citizens. In fact, the Muslims have been prohibited from destroying the pork and wine belonging to non-Muslim citizens, and if they do, they must pay a fine. The famous book of Hanafī jurisprudence, al-Durr al-mukhtār, states,

'The Muslim who destroys his [the Christian's] wine and pork is legally responsible for paying its price'.4

Islam has forbidden theft and prescribed strict punishment for it. When a woman from the Quraysh tribe committed theft during the time of the Prophet , he ordered the prescribed punishment to be imposed on her. When people requested him to soften the punishment he said,

¹ Cited by Abū Yūsuf ın al-Kharāj, p. 152.

² A tax levied on the non-Muslim citizens of an Islamic state in lieu of military service. Ed.

³ Cited by Ibn Qudāma in al-Mughnī, 9:181; and al-Zayla'i in Nasb al-rāya, 3:381.

⁴ Al-Haşkafī, al-Durr al-mukhtār, 2:223; and al-Shāmī, Radd al-muhtār, 3:273.

'By God, had my daughter Fāṭima stolen, I would have applied the prescribed punishment upon her, too'. I

Imam Yaḥyā b. Sharaf al-Nawawī writes,

'In this context, the wealth of the non-Muslim citizen, the non-Muslim under agreement of protection and the apostate is certainly like the wealth of a Muslim'.²

Imam Ibn Qudāma al-Ḥanbalī mentioned that the prescribed punishment should be enforced if the possessions of a non-Muslim are stolen, just as it is imposed when a Muslim's belongings are stolen.³ Ibn Ḥazm mentioned that there is no disagreement that the prescribed punishment should be applied on the Muslim who steals the possessions of a non-Muslim citizen.⁴ Ibn Rushd said that there is a consensus on this point.⁵

The Muslim and non-Muslim citizens are equal in the eyes of Islamic law when it comes to the theft of belongings. If a Muslim steals the belongings of a non-Muslim, the prescribed punishment will be enforced upon him, and if he unlawfully seizes his wealth, a discretionary punishment from the ruler [ta'zīr] will be carried out. Islam has given so much importance to the belongings of non-Muslims that every item of their belongings, which they so declare, is to be safeguarded, though it may not fall in the category of belongings in the eyes of the Muslims, such as wine and pork. If anyone destroys the wine belonging to a Muslim, neither a prescribed punishment nor a discretionary punishment will be enforced against him. On the other hand, if a Muslim destroys the wine and pork belonging to a non-Muslim, he will be required to

¹ Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kītāb al-Anbīyā' [The Book of the Prophets], chapter: 'The Tradition of the Cave', 3:1282 §3288; and Muslim in al-Ṣaḥīḥ: Kītāb al-ḥudūd [The Book of Prescribed Punishments], 3:1315 §1688.

² Yahyā al-Nawawī, Sharh Şaḥīḥ Muslim, 12:7.

³ Ibn Qudāma al-Maqdisī, al-Mughnī, 9:112.

⁴ Ibn Ḥazm, al-Muhallā, 10:351.

⁵ Ibn Rushd, Bidāyat al-mujtahid, 2:299.

pay a fine, because both wine and pork are considered a part of the non-Muslim's belongings.

3.8 Humiliating Non-Muslim Citizens is Forbidden

Just as the humiliation and violation of a Muslim's dignity is forbidden in Islam, it is also forbidden to disgrace and dishonour a non-Muslim citizen. No Muslim is allowed to abuse a non-Muslim, or slander or attribute falsehood to him or her. Islam also restrains its followers from making mention of any flaw in the person of a non-Muslim, which may be associated with his or her self, family or lineage.

Once, the son of 'Amr b. al-'As, the Governor of Egypt, punished a non-Muslim unjustly. When a complaint of this injustice reached Caliph 'Umar &, he made the non-Muslim Egyptian publically exact the same punishment upon the Governor's son, and uttered the historic sentence, which according to some researchers characterized the struggle during the French Revolution:

'Since when have you regarded people as your slaves, while their mothers gave birth to them as free men?'

Harming a non-Muslim citizen with one's tongue and hands and abusing him or her is no less forbidden than doing so to a Muslim. In al-Durr al-mukhtār it is stated:

'All harm must be kept from him [the non-Muslim citizen] and it is forbidden to backbite him—just as it is for a Muslim'.

Imam Shihāb al-Dīn al-Qarāfī, the famous Mālikī jurist, wrote in his book al-Furūq about the rights of non-Muslim citizens:

¹ Narrated by al-Hindi in Kanz al-'ummāl, 2:455.

² Al-Haşkafı, al-Durr al-mukhtār, 2:223; Ibn 'Ābidīn al-Shāmī, Radd al-muhtār, 3:273-274.

إِنْ عَقْدَ اللَّمْدِ يُوجِبُ لَهُمْ خَقُوقًا عَلَيْنَا، لِأَلَّهُمْ فِي جَوَارِنَا وَفِي خِفَارَيْنَا (جِمَايَيِنَا) وَذِمْتِنَا وَذِمْدِ اللهِ تَعَالَى، وَذِمْدِ رَسُولِ اللهِ ﷺ، وَدِيْنِ الْوِسْلَامِ. فَمَنِ اغْتَدَى عَلَيْهِمْ وَلَوْ بِكَلِمَةِ سُوءٍ أَوْ غِيْبَةٍ، فَقَدَ مَنْتُحَ ذِمْدُ اللهِ، وَذِمْةً رَسُولِهِ ﷺ، وَذِمْةً دِيْنِ الْإِسْلَامِ.

The dhimma contract for non-Muslims establishes certain rights that they have upon us because they live in proximity to us and are under our protection and care and the care of God and the Messenger of God and the religion of Islam. So whoever transgresses against them—even if by an evil word or through backbiting—has neglected the guarantee of God, His Messenger and the religion of Islam.

Ibn 'Abıdın al-Shamı writes about the rights of non-Muslim citizens:

لِأَنَّهُ بِعَقْدِ الذَّمَّةِ وَجَبَ لَهُ مَا لَنَا، فَإِذَا حُرِّمَتْ غِيْبَةُ الْمُسْلِمِ حُرِّمَتْ غِيْبَتُهُ، بَلْ قَالُوا: إِنَّ طُلْمَ الذَّمِّيِّ آشَدُ.

That is because due to the contract about non-Muslims, he [a non-Muslim] deserves the same rights as we do; and since it is unlawful to backbite a Muslim, it is also unlawful to backbite him [a non-Muslim]. Nay, they [the jurists] have said that oppression meted out to a non-Muslim citizen is even severer [in sin].²

Al-Kāsānī regarded the rights of Muslims and non-Muslims as equal in his book Badā'ı' al-şanā'i':

لَهُمُ مَا لَنَا وَعَلَيْهِمْ مَا عَلَيْنَا.

'Non-Muslim citizens enjoy the same rights that are enjoyed by us (Muslims), and they have the same responsibilities as we do'.³

¹ Al-Qarāfī, al-Furūq, 3:14.

² Ibn 'Ābidīn al-Shāmī ın Radd al-muḥtār, 3:273, 274.

³ Narrated by al-Kāsānī in Badā'ı' al-şanā'ı', 7:111.

The aforementioned sayings of the jurists prove that it is the collective responsibility of all Muslims to protect the honour of non-Muslim citizens.

The Prophet menjoined his followers to treat non-Muslim citizens with excellence. It is the duty of the Islamic state to guarantee the protection of the non-Muslim citizens against oppression, wrongs and excesses. If the Islamic state fails to deliver justice and security to its non-Muslim citizens, the Prophet declared that he would be the advocate of such oppressed people and that he would restore to them their rights on the Day of Judgment.

The Prophet & said,

أَلَا مَنْ طَلَمَ مُعَاهِدًا، أَوِ انتَقَصَهُ، أَوْ كَلَفُهُ فَوْقَ طَاقَيِهِ، أَوْ أَحَدَ مِنْهُ شَيْنًا بِفَيْرِ طِيْبٍ نَفْس، فَأَنَا حَجِيْجُهُ يَوْمَ الْقِيَامَةِ.

'Beware! Whoever wrongs a non-Muslim citizen, or diminishes any of his rights, or imposes on him more than he can bear, or takes anything from him without his consent, I shall plead on his [the latter's] behalf on the Day of Resurrection'.

The goal behind the Prophet's saying was to make the Muslim society realize its responsibility towards the rights of its non-Muslim citizens, so that they do not falter in discharging this duty.

3.9 THE PROTECTION OF NON-MUSLIM CITIZENS FROM INTERNAL AND EXTERNAL AGGRESSION

According to Islamic law, the protection of non-Muslim citizens is one of the duties of the state. If any person—irrespective of his association with any nation, religion or state—commits aggression against a non-Muslim citizen and oppresses him or her, it is the

¹ Narrated by Abū Dāwūd in al-Sunan: Kitāb al-kharāj wa al-imāra wa al-fay' [The Book on the Land Tax, Leadership and Spoils Acquired without Fighting], 3:170 §3052; al-Bayhaqī in al-Sunan al-kubrā, 9:205 §18511; and al-Mundhirī in al-Targhīb wa āl-tarhīb, 4:7 §4558. Al-ʿAjlūnī said in Kashf al-khafā' that the chain of this tradition is good [ḥasan] (2:342).

responsibility of the state to protect that non-Muslim citizen, even if such protection entails entering into a war. God says,

'And We seized [the rest of] the people who committed injustice [actively or passively] with a very harsh punishment because they were disobeying'.'

The Qur'an threatens with torment those who oppress others, but it gives an ever harsher warning to those who allow oppression to go unchallenged.

Islam has laid great emphasis on the protection of non-Muslim citizens against internal violence and oppression and has made their protection the duty of the Islamic state. Islam does not allow any Muslim citizen to encroach upon the rights of non-Muslim citizens or resort to oppression and violence against them, verbally or physically.

There are many Qur'ānic verses and prophetic traditions that reveal the calamitous repercussions and painful results of atrocities and oppression, in this world and in the Hereafter. Special injunctions prohibit oppressing non-Muslim citizens in particular.

A hadith reported in the Sunan of Abū Dāwūd has already been mentioned in which the Prophet declared that, on the Day of Judgment, he will act as an advocate for the oppressed. Another hadith dealing with the same subject has been reported by 'Abd Allāh b. Mas'ūd & in which the Prophet said,

'Whoever hurts a non-Muslim citizen, I shall be his opponent. And when I am someone's adversary, I shall overcome him on the Day of Resurrection'.2

¹ Qur'ān 7:165.

² Narrated by al-Khaṭīb al-Baghdādī in *Tāṭīkh Baghdād* with an excellent chain of transmission (8:370); and cited by Badr al-Dīn al-ʿAynī in *ʿUmdat al-qāṭī*', 15:89.

114 | FATWA ON TERRORISM AND SUICIDE BOMBINGS

The contemporary nation-states are responsible for taking all necessary measures to safeguard the lives of their citizens, including Muslims and non-Muslims, against any external aggression or war. Since the government is the repository of legal, political and economic powers coupled with military power, it is obligatory on the governments to take all required steps for their protection against any internal danger. 'Ali &, the Leader of the Faithful, said,

'The non-Muslim citizens pay the tax so that their blood and property should be as inviolable as ours'.

One of the books of Hanbalī jurisprudence, Maţālib ūlī alnuhā, states.

'It is the duty of the Muslim government to give complete protection to its non-Muslim citizens against suffering and torture of every kind, because of their being residents in the Islamic state'.²

If any external power chooses to flex its military muscle against the non-Muslim citizens of an Islamic state and aims to attack them in any manner, it is incumbent upon the Islamic government to take urgent measures to protect them. In his book al-Furūq, Imam al-Qarāfī quoted a saying of Ibn Ḥazm from his book Marātib al-ijmā',

'It is obligatory for us to go out and wage war against them [who aggress against the non-Muslim citizens of an

¹ Cited by Ibn Qudāma al-Maqdisī in al-Mughnī, 9:181; and al-Zayla'ī in Nasb al-rāya, 3:381.

² Mușțafā b. Sa'd, Mațălib ülī al-nuhă, 2:602-603.

Islamic state] with military might, even though we may die in the process'.¹

This is also the viewpoint of Ibn Taymiyya. When the Mongols occupied Syria, Ibn Taymiyya went to the king for the release of the prisoners. The Mongol leadership showed their willingness, to release the Muslim prisoners, but refused to release the non-Muslim citizens. Ibn Taymiyya said, 'We will not be happy unless all the prisoners from amongst the Jews and the Christians are released. They are our non-Muslim citizens and we will not leave any of our prisoners in captivity, whether they belong to the non-Muslim or Muslim population'. When the king saw the force of Ibn Taymiyya's arguments and his unrelenting insistence, he ordered the release of all Muslim and non-Muslim prisoners.²

It is clear in the light of the Qur'ānic verses, prophetic traditions and sayings of the jurists that no Muslim has the right to kill a non-Muslim citizen merely on the basis of his being non-Muslim, and it is unlawful to plunder his wealth or dishonour him. In addition, Islam not only guarantees the protection of the life, honour and property of non-Muslim citizens, but it also gives complete protection to their places of worship.

¹ Shihāb al-Dīn al-Qarāfī, al-Furūq, 3:14-15.

² Ibn Taymıyya, Majmü'a al-fatāwā, 28:617-618.



CHAPTER 4

THE UNLAWFULNESS OF TERRORISM AGAINST NON-MUSLIMS—EVEN DURING TIMES OF WAR



4.1 PRELIMINARY REMARKS

According to the Islamic laws on war, it is prohibited to wage war against neutral countries, even if there are major ideological disagreements with them. Islam has enjoined upon its followers to remain peaceful with neutral people, because Islam does not approve of needless war or senseless conflict. It respects every human life and ensures that the sanctity and dignity of humanity is upheld at all times. God says in the Qur'ān,

'O you who believe! Stand firm for God, witness in justice, and do not let the hatred of a people prevent you from being just. Be just; that is closer to righteousness. And fear God. Indeed, God is Well-Informed of what you do'. ¹

This verse prohibits the believers from exceeding the limits or resorting to oppressive measures in their interactions with other nations, despite the extreme hostility that may be between them. Imam al-Qurtubī explained this verse, quoting Abū 'Ubayda and al-Farrā', 'This phrase "lā yajrimannakum [do not let . . . prevent you]" means that you should not let your hatred of a people cause you to transgress the truth and engage in falsehood or swerve from justice to oppression'.²

Similarly, with regard to the prohibition of indiscriminate . massacre, God says,

¹ Qur'an 5:8.

² Muhammad al-Qurtubī, al-Jāmi' li ahkām al-Qur'ān, 6:45.

'God does not forbid you of those who do not fight you because of religion and do not expel you from your homes—from being righteous towards them and treating them justly. Indeed, God loves the just'.

The terrorists who indiscriminately murder people through bomb blasts, suicide bombings and other means of destruction, without any distinction for religion, race, colour and creed, argue that, since the foreign powers are doing their utmost to occupy Muslim lands, and since the Muslims have been subjected to war, they are fully justified in adopting terrorism as a tactic. This is a false argument. The divine injunction, 'do not let the hatred of a people prevent you from being just', clearly enjoins that no nation or group of people can be allowed to abandon justice and adopt oppression as a policy. According to Imam al-Qurtubī, it is established from the Qur'ān that Islam orders tolerance, moderation, balance and harmony under all circumstances—so much so that the massacre of peaceful people is strictly prohibited even in times of war.

The condemnation of terrorism and the arguments against it are evident. If we, for a moment, accept the view of the terrorists and extremists who argue that they are waging a jihad against anti-Islamic forces, still their activities are outside of the pale of Islamic laws on war.

4.2 THE UNLAWFULNESS OF KILLING NON-MUSLIM WOMEN

Many people are killed in non-Muslim countries, in addition to Muslim countries, in the unending wave of terrorism. The terrorists invoke the anti-Islamic actions of non-Muslim countries to justify their terrorism, and contend that since these governments play a role in either killing Muslims or getting them killed through different means, they are justified in killing their citizens in retaliation. This argument is contrary to the fundamental teachings of Islam and contravenes the character of Islam. Islam does not allow the killing of peaceful non-Muslims in times of war—much less in times of peace. Islam's jurisprudential tradition

¹ Qur'ān 60:8.

has articulated what is called in the West, the Just War Theory, and has detailed regulations that guide the conduct of its soldiers during war. Thus, the killing of women during war is prohibited.

'Abd Allāh b. 'Umar & said,

'A woman was found slain in one of the expeditions. Upon this the Messenger of God forbade the killing of women and children'.'

Ibn Batţāl and Imam al-Nawawī have both supported this standpoint in Sharh Şahīh al-Bukhārī (5:186) and Sharh Şahīh Muslim (12:37), respectively, and declared that killing women is in direct contravention to Islamic teachings. There is also a hadith narrated by 'Abd al-Razzāq in his Musannaf, al-Shāfi'ī in his al-Musnad, al-Ţaḥāwī in Sharh ma'ānī al-āthār and al-Bayhaqī in al-Sunan al-kubrā from the son of Ka'b b. Mālik & who mentioned that when the Prophet dispatched an army to Ibn Abī Ḥaqīq, he forbade the killing of women and children. Abū Tha'laba said,

'The Messenger of God & prohibited the murder of women and children'.3

¹ Narrated by al-Bukhātī in al-Ṣahīh: Kitāb al-jihād wa al-siyar [The Book of Martial Jihad and Battles], chapter: 'Killing Women in War', 3:1098 §2852; Muslim in al-Sahīh: Kitāb al-jihād wa al-siyar [The Book of Martial Jihad and Battles], chapter: 'The Unlawfulness of Killing Women and Children during War', 3:1364 §1744; al-Tirmidhī in al-Sunan: Kitāb al-siyar [The Book of Military Expeditions], chapter: 'What Has Come to Us About the Killing of Women and Children', 4:136 §1569; Ibn Mājah in al-Sunan: Kitāb al-jihād [The Book of Martial Jihad], 2:947 §2841; and Ahmad b. Ḥanbal in al-Musnad, 2:22 §4739.

² Narrated by 'Abd al-Razzāq in al-Muşannaf, 5:202 \$9385; al-Shāfi'ī in al-Musnad, p. 238; cited by al-Ṭaḥāwī in Sharḥ ma'ānī al-āthār, 3:221; and by al-Bayhaqī in al-Sunan al-kubrā, 9:77 \$17865.

³ Narrated by al-Tabarānī in al-Mu'jam al-awsat, 7:113 \$7011.

4.3 THE UNLAWFULNESS OF KILLING THE CHILDREN OF NON-MUSLIMS

The strict and total prohibition prescribed against killing peaceful non-Muslim children is another humane principle of Islam. Compare and contrast the actions of the self-proclaimed defenders of Islam with those of the Prophet a; the reality will be laid bare for everyone to see and the intentions of these terrorist elements will become clear. Would that they had held the prophetic traditions in due esteem and felt shame while shaping their destructive designs!

Quoting a letter of Ibn 'Abbās &, Imam Muslim wrote in his collection:

'Indeed, the Messenger of God & did not kill children; so you must not kill them either'."

In another hadith, the Prophet A forbade the Companions—with very harsh words—from killing the children of non-Muslims, and repeated his prohibition for effect. Aswad b. Sarī' & said,

كُنَّا فِي غَزَاةِ فَأَصَبْنَا طَفَرًا وَقَتَلْنَا مِنَ الْمُشْرِكِيْنَ، حَتَّى بَلَغَ بِهِمُ الْقَتْلُ إِلَى أَنْ قَتَلُوا الذَّيِّةَ، فَبَلَغَ بِهِمُ الْقَتْلُ إِلَى أَنْ قَتَلُوا الذَّيِّةَ، فَيَالَ الْمَثَلِثَةِ؟ أَلَا! لا تَقْتَلُنَّ ذُرْيَّةً. قِيْل: لِمَ يَا رَسُولَ اللهِ، أَلْيُسَ هُمُ الْفَلْوَدُونَ اللهِ الْمُشْرِكِيْنَ؟ أَوْلُودَ الْمُشْرِكِيْنَ؟

'We were once in a battle and gained the upper hand and killed many of the pagans, including some children. News of this reached the Messenger of God and he said, "What is wrong with some people that they went so far as to kill children? Beware! Do not kill children at all! Beware! Do not kill children at all! Beware! Do not kill children at all! "Someone asked, "Why, O Messenger of God? Are they not the children of the pagans?" He replied, "Are the best amongst you

¹ Narrated by Muslim in al-Ṣaḥīḥ: Kitāb al-jihād wa al-siyar [The Book of Martial Jihad and Battles], 3:1444 §1812.

not from the children of pagans?""

In another narration it reads: 'A man said, "O Messenger of God! They are only the children of the pagans!" He & replied,

"The best of you are children of pagans. Beware! Children must not be killed".'2

None would know about the need for spiritual excellence in fighting for God's sake more than the Companions of the Prophet ; these paragons of love and obedience deserve a lasting tribute for having acted upon the instructions of the Prophet , and observed the finest details of the laws of war, without transgressing their limits. 'Aţiya al-Qurazī & said,

'I was amongst those judged by Sa'd b. Mu'ādh [when he was given the authority to decide the fate of the plotters of Banū Qurayza], but they were in doubt about me: was I to be counted amongst the children or amongst those who engaged in hostilities? So to find the answer, they examined my pubic regions and saw that I had yet to grow pubic hair [and thus was underage], so they grouped me with the children and I was spared'.3

¹ Narrated by al-Nasā'ī in al-Sunan al-kubrā: Kitāb al-styar [The Book of Military Expeditions], chapter: 'The Prohibition of Killing the Children of the Pagans', 5:184 §8616; al-Dārimī in al-Sunan, 2:294 §2463; al-Ḥākim in al-Mustadrak, 2:133–134 §\$2566–2567; and al-Tabarānī in al-Mu'jam al-kabīr, 1:284.

² Narrated by Aḥmad b. Ḥanbal ın *al-Musnad*, 3:435 \$\$15626-15627; and al-Bayhaqī ın *al-Sunan al-kubrā*, 9:77 \$17868.

³ Narrated by Ibn Hibbān in al-Ṣaḥīḥ: Kitāb al-siyar [The Book of Military Expeditions], 11:109 \$4788; 'Abd al-Razzāq in al-Muṣannaf, 10:179 \$18742; al-Ṭabarānī in al-Muʿjam al-kabīr, 17:164 \$434; and al-Bayhaqī in al-Sunan al-kubrā, 6:166 \$11098.

Regarding the prohibition of killing non-Muslim women, children and elderly folk during war, the respected Ḥanafī jurist, Imam al-Sarakhsī, wrote in his magnum opus, al-Mabsūt:

قَالَ عَلَيْهِ: وَلَا تَفْتَلُوا وَلِيْدًا وَالْوَلِيْدُ، الْمَوْلُودُ فِي اللَّمْةِ، وَكُلُّ آدَمِي مَوْلُودُ، وَلَكِنَ مَدَلُودٌ، وَلَكِنَ مَدَلُودٌ، وَلَكِنَ مَدَلُودٌ، وَلَكِنَ مَدَلُولُ اللَّمْعَارِ عَادَةً. فَفِيْهِ دَلِيلُ عَلَى أَنَّهُ لَا يَحِلُ فَقَلُ الصَّعَارِ عِنْهُمْ، إِذَا كَانُوا لَا يُقَاتِلُونَ. وَقَدْ جَاءَ فِي الْحَدِيثِ أَنَّ النَّبِي عَلَى لَهُمْ مَنْ فَتْلِ النَّسَاءِ وَالْوَلِدَانِ. وَقَالَ: افْتَنُوا شُيُوحَ الْمُشْرِكِينَ، وَاسْتَخْبُوا شُرُوحَهُمْ. وَالْمَرَادُ بِالشُّيُوحِ الْإَشْرِخِينَ وَالنَّسَاءِ، وَالْإِشْرِخِيَاءُ الْإِسْرِقَاقُ. قَالَ اللهُ: (وَالنَسَاءِ وَالنَسَاءِ وَالنَسَاءِ وَالْمَسْرِخِينَ الْإِسْرِقَاقُ. قَالَ اللهُ: ﴿ وَالنَسَاءِ وَالنَسَاءِ وَالْإِسْرِخِيَاءُ الْإِسْرِقَاقُ. قَالَ اللهُ: ﴿ وَالنَسَاءِ مَنْ اللهُ لَللّهُ اللهُ اللهُ

The Prophet & said, 'Do not kill children [walīd]'. In the [Arabic] language, the word walid means one who is born [mawlūd]; and every human being [ādamī] is born; however, customarily this word is only used for young children. Therefore, in it is proof that it is impermissible to kill the young children amongst them [the non-Muslims], as long as they are not fighting. It is mentioned in a hadith that the Prophet & forbade the killing of women and children, and said, 'Kill the [warring] elders of the pagans [during the state of war] and keep alive their subordinates'. What is meant by 'elders' are the adults amongst them, and what is meant by 'subordinates' are their followers amongst the young and the womenfolk. To 'keep alive' here means to take them as captives. God says, 'And they kept their women alive'. And it is mentioned-in Abū Bakr's & dictated commands to Yazīd b. Abī Sufyān: 'Kill neither a feeble old man nor a fragile young child'; in other words, an elderly man and young child do not fight.2

¹ Qur'ān 40:25.

² Al-Sarakhsī, al-Mabsūt, 10:5-6.

4.4 THE UNLAWFULNESS OF KILLING ELDERLY, NON-MUSLIMS

Islam has strictly and unequivocally forbidden the killing of the elderly during war. This principle is illustrated in many prophetic traditions.

Imam Abū Dāwūd narrates on the authority of Anas b. Mālik & that the Prophet & said,

'Do not kill any feeble old man, or any infant or young child or woman'.

Imam Ibn Abī Shayba narrates on the authority of al-Daḥḥāk & who said,

'The Prophet & used to forbid the killing of women and feeble old men'.2

Imam Ibn Abī Shayba also narrates on the authority of Rāshid b. Sa'd who said,

'The Messenger of God & forbade the killing of women, children and the infirm'.

Imam al-Bayhaqī narrated a hadith from 'Alī &, that when the Prophet & would dispatch an army, he would advise them,

'Do not kill a young boy, a woman or an old man. Do

¹ Narrated by Abū Dāwūd in al-Sunan: Kitāb al-jihād [The Book of Martial Jihad], 3:37 \$2614; Ibn Abī Shayba in al-Muşannaf, 6:483 \$33118; and al-Bayhaqī in al-Sunan al-kubrā, 9:90 \$17932.

² Narrated by Ibn Abī Shayba in al-Muşannaf, 6:484 §33133.

³ Ibid., §33135.

not cause fountains to dry up and do not destroy any trees, except those which cause hindrance during war. Mutilate neither a human nor an animal, and do not break a promise or breach a trust'.

Jubayr b. Nufayl said,

مَوْ رَجُلِّ بِثَوْبَانَ، فَقَالَ: أَيْنَ تُوبِدُ ؟ قَالَ: أَرِيْدُ الْفَزْوَ فِي سَيِيْلِ اللهِ. قَالَ: وَلَا تَغْلُلُ إِنْ غَيِمْتَ، وَلَا تَفْتَلُنَّ شَيْخًا كَبِيرًا، وَلَا صَبِيًّا صَغِيرًا. فَقَالَ لَهُ الرُجُلُ: مِمْنَ سَمِغْتَ هَذَا؟ قَالَ: مِنْ رَسُولِ اللهِ ﷺ.

'A man passed by Thawbān &, so he [Thawbān] asked him, "Where do you intend to go?" The man said, "I want to wage battle in the path of God". Thawbān then said to him, "If war booty comes your way, do not steal from it, and do not kill an old man or a young boy". Upon hearing this, the man asked him, "From whom did you hear this?" Thawbān replied, "From the Messenger of God .".'2

4.5 THE UNLAWFULNESS OF KILLING THE RELIGIOUS LEADERS OF NON-MUSLIMS

Islam has forbidden its adherents from killing the religious leaders of non-Muslims during the course of war and after the battles have ceased. There is no justification for fighting against non-Muslim religious leaders and children if they do not engage in war. The perpetrators are putting to shame the great values of Islam and its culture of toleration. Imam Ahmad b. Hanbal quoted Ibn 'Abbās who said that the Prophet would issue clear instructions when dispatching an army to go into battle. He would say,

لَا تَفْدُرُوا، وَلَا تَغُلُوا، وَلَا تُمَثَّلُوا، وَلَا تَقْتُلُوا الْوِلْدَانَ، وَلَا أَصْحَابَ الصُّوامِعِ.

¹ Narrated by al-Bayhaqī in al-Sunan al-Kubrā, 9:90 §17934.

² Narrated by Ibn 'Asākir in Tārīkh Dimashq al-kabīr, 27:404.

'Break no promise, steal not from the spoils of war and do not mutilate bodies or slay children or monks'.

Imam Ibn Abī Shayba mentions another hadith from Ibn 'Abbās in which the Prophet is said as he dispatched an army,

لَا تَفْتُلُوا أَصْحَابَ الصُّوَامِع.

'Do not kill those who tend to the monasteries'.2

Imam Ibn Abī Shayba also quotes Thābit b. Ḥajjāj al-Kilābī, who reported that Abū Bakr & stood up, praised God and said to people,

ألًا! لَا يُقْتَلُ الرَّاهِبُ فِي الصُّوْمَعَةِ.

'Beware, no [non-combatant] priest tending to his monastery should be killed'.3

Imam al-Bayhaqī narrates that Sa'īd b. al-Musayyab & reported that Abū Bakr al-Siddīq & would always say to the Islamic army as he dispatched it for jihad,

لَا تُغْرِقُنَّ نَخْلًا، وَلَا تُحْرِقُنَهَا، وَلَا تَغْفِرُوا بَهِيْمَةً، وَلَا شَجَرَةً تُغْمِرُ، وَلَا تَهْدِمُوا بِيتَهَ، وَلَا تَقْتَلُوا الْوِلْدَانَ، وَلَا الشَّيُوخَ، وَلَا النَّسَاءَ، وَسَتَجِدُونَ أَقْوَامًا حَبَسُوا أَنْقُسَهُمْ فِي الصُّوامِع فَدَعُوهُمْ، وَمَا حَبْسُوا أَنْفُسَهُمْ لَهُ.

'Do not drown or burn date-palm trees. Do not kill any animal. Do not cut down a fruit-bearing tree. Do not demolish a church. And do not kill any children or old people or women. Soon you shall you come upon people who have secluded themselves in cloisters; you must leave them to engage in that for whose sake they have secluded themselves'.

¹ Narrated by Ahmad b. Hanbal in al-Musnad, 5:358 \$2728.

² Narrated by Ibn Abī Shayba ın al-Muşannaf, 6:484 §33132; Abū Ya'lā ın al-Musnad, 5:59 §2650; al-Taḥāwī in Sharḥ ma'ānī al-āthār, 3:225; and al-Daylamī in Musnad al-firdaws, 5:45 §7410.

³ Narrated by Ibn Abī Shayba in al-Muşannaf, 6:483 \$33127.

⁴ Narrated by al-Bayhaqī in al-Sunan al-kubrā, 9:85 §17904.

128 | FATWA ON TERRORISM AND SUICIDE BOMBINGS

Likewise, another tradition reported by Şāliḥ b. Kaysān and narrated by Imam al-Bayhaqī mentions that Abū Bakr al-Ṣiddīq & said as he was dispatching the Islamic army towards Syria,

إِنَّكُمْ سَتَجِدُونَ أَقْوَامًا قَدْ حَبَسُوا أَنْفُسَهُمْ فِي هَلِهِ الصَّوَامِعِ، فَاتْرَكُوهُمْ وَمَا حَبَسُوا لَهُ أَنْفُسَهُمْ، وَلَا تَفْتُلُوا كَبِيرًا هَرِمًا، وَلَا امْرَأَةً، وَلَا وَلِللّهُ، وَلَا تُخْرِفُوا عُمْرَانًا، وَلَا تَفْطَعُوا شَجَرَةً إِلَّا لِنَفْعٍ، وَلَا تُخْرِفُنُ نَخْلًا وَلَا تُمْرُفُنُهُ، وَلَا تَفْطِعُوا شَجَرَةً إِلَّا لِنَفْعٍ، وَلَا تُخْرِفُنُ نَخْلًا وَلَا تُمْرُفُنُهُ، وَلا تَمْلُلُ. تَمْلِيرْ، وَلا تَمْلُلُ.

'You shall soon come upon people who have secluded themselves in monasteries; you must leave them to engage in that for whose sake they have secluded themselves. Do not kill an old, feeble man or a woman or a child. Do not damage any populated area. Do not cut down trees needlessly. Do not kill animals unless it is for a benefit [to feed others]. Do not burn down date-palm trees or drown them. Do not commit any treachery. Do not mutilate (anyone). Do not behave cowardly. And do not take anything without right when distributing the spoils of war'.'

In the light of these clear injunctions that prohibit killing the religious leaders of non-Muslims, what interpretation can one give to the self-styled and the misplaced religious concepts of those who murder Islamic religious scholars, destroy the mosques of those who adhere to other schools of thought and burn down the shrines of the Sufis? Not only do these people consider these actions justified, but they also invoke religion by claiming to take guidance from the Qur'ān and the Sunna!

4.6 THE UNLAWFULNESS OF KILLING NON-MUSLIM TRADERS AND FARMERS

Islam has given complete protection to farmers, traders and businessmen, and forbade killing them, because they are associated

¹ Ibid., 9:90 \$17929.

with the economy and financial survival of humanity. There are several prophetic narrations that speak of this.

Imam Ibn Abī Shayba and Imam al-Bayhaqī narrated on the authority of Jābir b. 'Abd Allāh & who said,

'They [the Muslim soldiers] did not kill the merchants amongst the pagans'.

Imam Ibn Abī Shayba also narrated on the authority of Zayd b. Wahb that 'Umar & sent him a letter in which he said,

'Do not take anything without right when distributing the spoils of war, and do not commit any treachery or kill children. And fear God regarding farmers'.²

Imam al-Bayhaqī's version of this report reads,

'Fear God regarding the farmers and do not kill them'.³ Ibn al-Qayyim said,

'Indeed, when the Companions of the Prophet sonquered the various lands, they did not kill them [farmers and merchants] because the latter did not fight [against them], and so in that sense they [the civilians] resembled the elderly and the religious leaders'.4

Narrated by Ibn Abī Shayba in al-Muşannaf, 6:484 \$33129; al-Bayhaqī in al-Sunan al-kubrā, 9:91 \$17939; and cited by Ibn Ādam al-Qurashī in al-Kharāj, 1:52 \$133.

² Narrated by Ibn Abī Shayba in al-Musannaf, 6:483 §33120; and cited by Ibn Adam al-Qurashī in Kıtāb al-Kharāj, 1:52 §132.

³ Narrated by al-Bayhaqî in al-Sunan al-kubrā, 9:91 §17938.

⁴ Ibn al-Qayyim, Ahkām ahl al-dhimma, 1:165.

Imam al-Awzā'ī took a similar view and said,

لَا يُقْتَلُ الْحَرَّاتُ إِذَا عُلِمَ أَنَّهُ لَيْسَ مِنَ الْمُقَاتِلَةِ.

'Farmers are not to be killed [during war] if it is known that they are not from the combatants'.

And Ibn Qudāma al-Magdisī stated,

أَمَّا الْفَلَاحُ الَّذِي لَا يُقَاتِلُ فَيَنْبَغِي أَلَّا يُقْتَلَ، لِمَا رُوِيَ عَنْ عُمَرَ بْنِ الْحَطَّابِ عِلَيْ أَنَّهُ قَالَ: اتَّقُوا اللهَ فِي الْفَلَاحِيْنَ، الَّذِيْنَ لَا يَنْصُبُونَ لَكُمْ فِي الْحَرْبِ.

'As for the farmer who is a non-combatant, he should not be killed, because it was narrated from 'Umar b. al-Khaṭṭāb & that he said, "Fear God regarding the farmers who do not wage war against you".'2

4.7 THE UNLAWFULNESS OF KILLING NON-MUSLIM SERVICE PERSONNEL

Islamic laws are to regulate the conduct of the Muslim soldiers during the course of war and restrain them from killing non-Muslim professionals and those tasked with the delivery of services. Rabāḥ b. Rabīḥ & said,

كُنَّا مَعَ رَسُولِ اللهِ هِ فِي غَزُوةٍ، فَرَأَى النَّاسَ مُجْتَمِعِيْنَ عَلَى شَيْءٍ، فَبَعَثَ رَجُلَا فَقَالَ: انْظُرْ عَلَى مَا اجْتَمَعَ هَوْلَاءٍ؟ فَجَاءَ، فَقَالَ: عَلَى امْرَأَةٍ ثَيْلٍ. فَقَالَ: مَا كَانَتْ هَذِهِ لِتُقَاتِلَ. قَالَ: وَعَلَى الْمُقَدَّمَةِ خَالِدُ بْنُ الْوَلِيْدِ. فَبَعَثَ رَجُلًا فَقَالَ: قُلْ لِحَالِدِ: لا يَقْتَلَنَّ امْزَأَةً وَلَا عَسِيقًا. وَفِي رَوَايَةٍ: لا تَقْتَلُنْ فُرْيَّةً وَلا عَسِيقًا.

'We were with the Messenger of God in one of the battle expeditions, when he saw some people gathered around something. He sent a man out, saying, "Go and see what they are gathering around". The man returned and informed him, saying, "They are gathering around

Ibid.

² Ibn Qudāma al-Maqdisī, al-Mughnī, 9:251.

a slain woman". The Prophet said, "She was not amongst those who fight!" At the head of the group was Khālid b. Walīd, so the Prophet sent a man to go and inform Khālid: "Neither an [idolatrous] woman nor a hired servant should be killed".' [In one report:] 'Do not kill children or hired servants'."

In fact, non-Muslim employees working in the households of non-Muslim employers in the conquered areas are not to be killed and no kind of tax can be imposed upon them. Ibn al-Qayyim stated the same thing, quoting 'Abd Allāh b. 'Umar &:

إِنَّ الْعَبْدَ مَحْقُونُ الدُّم فَأَشْبَهَ النَّسَاءَ وَالصَّبْيَانَ.

'The blood of a servant is inviolable, and is thereby similar to that of women and children'.2

Likewise, Ibn al-Mundhir cited a consensus amongst the scholars that, like the unemployed, the old, the sick, the destitute and women and children of non-Muslims—no tax can be levelled on the servants under their responsibility and care.³

4.8 THE UNLAWFULNESS OF KILLING NON-MUSLIMS WHO ARE NON-COMBATANTS

Islam holds that the sanctity of life is superior to the sanctity of the Kacba. That is why shedding blood unjustly has been condemned in the harshest possible terms. The only enemies who are allowed to be killed are those who actively take part in combat. A large part of population, which is non-combatant, including children, women, the old, the sick and the disabled, have been excluded

¹ Narrated by Abū Dāwūd in al-Sunan: Kitāb al-jībād [The Book of Martial Jihad], chapter: 'The Killing of Women', 3:53 \$2669; Ibn Mājah in al-Sunan: Kitāb al-jībād [The Book of Martial Jihad], 2:948 \$2842; Aḥmad b. Ḥanbal in al-Musnad, 3:488 \$16035; al-Nasā'ī in al-Sunan al-kubrā, 5:186-187 \$\$8625, 8627; and al-Ḥākim in al-Mustadrak, 2:133 \$2565.

² Ibn Qayyim al-Jawziyya, Ahkām ahl al-dhimma, 1:172.

³ Ibid.

from this. On the day of the conquest of Mecca, the Prophet sordered that those who were not fighting should run away to save their lives, and shut their doors, and he ordered that those who were injured should not be attacked.

Imam Muslim narrated on the authority of Abū Hurayra & that the Messenger of God & said on the day of the conquest of Mecca.

'Whoever enters Abū Sufyān's house is safe, and whoever lays down his weapon is safe and whoever shuts his door is safe'.'

All of these steps convey the message of peace and protection.

It is reported in 'Abd al-Razzāq's Muşannaf that 'Alī b. Abī
Tālib & said,

'The injured person or prisoner should not be killed, and the one who flees should not be pursued'.²

According to another narration recorded by 'Abd al-Razzāq, Juwaybir reported that a woman from the tribe of Banū Asad told him that she heard 'Ammār & declare after 'Alī & had finished the Battle of the Camel,³

لَا تُذَفِقُوا عَلَى جَرِيْحٍ، وَلَا تَدْخُلُوا دَارًا. مَنْ أَلْقَى السَّلَاحَ فَهُوَ آمِنَّ، وَمَنْ أَغْلَقَ بَابَهُ فَهُوَ آمِنَّ.

¹ Narrated by Muslim in al-Ṣaḥīḥ: Kitāb al-jihād wa al-sryar [The Book of Martial Jihad and Military Expeditions], chapter: 'The Conquest of Mecca', 3:1407 \$1780; Abū Dāwūd in al-Sunan: Kitāb al-kharāj wa al-imāra wa al-fay' [The Book of Land Tax, Leadership and the Spoils Acquired without Fighting], 3:162 \$3021; and al-Bazzār in al-Musnad, 4:122 \$1292.

² Narrated by 'Abd al-Razzāq in al-Muşannaf, 10:123 \$18590.

³ A battle that took place in 656 CE. ED.

'Do not kill an injured person and do not enter the house of someone who has laid down his arms, for he is considered safe. Similarly, the one who shuts his door is considered safe'.

4.9 THE UNLAWFULNESS OF WAGING NIGHT OFFENSIVES AGAINST NON-MUSLIMS

The military code of conduct enshrined in the Shariah holds that enemies should not be attacked at night. Military forces should wait until dawn when launching their offensives so that non-combatants, such as women, children, the old and the sick, do not become frightened and have their sleep disturbed.

Imam al-Bukhārī and Imam Muslim narrated on the authority of Anas b. Mālik & who said,

'The Messenger of God & came to Khaybar at night, and when he came to a people [a force] at night, he would not attack them until daybreak'.2

Contrast the prophetic laws concerning war with the methods of the modern-day terrorists who bomb populated areas without any care for peaceful life.

4.10 THE UNLAWFULNESS OF BURNING NON-MUSLIMS

In the pre-Islamic days of ignorance, a man would go to such extremes in revenge and enmity against his opponents during war that he would burn them alive. The Prophet A forbade Muslims from resorting to this barbaric tactic.

¹ Narrated by 'Abd al-Razzāq in al-Muşannaf, 10:124 §18591.

² Narrated by al-Bukhārī in al-Ṣahīh: Kutāb al-maghāzī [The Book of Military Expeditions], chapter: 'The Campaign of Khaybar', 4:1538 §3961; Muslim in al-Ṣahīh: Kitāb al-jihād wa al-sryar [The Book of Martial Jihad and Expeditions], chapter: 'The Campaign of Khaybar', 3:1427 §1365; and al-Tirmidhī in al-Sunan: Kutāb al-siyar [The Book of Military Expeditions], 4:121 §1550.

134 | FATWA on Terrorism and Suicide Bombings

'Abd al-Raḥmān b. 'Abd Allāh quoted his father as saying that once they were on a journey and the Prophet went to relieve himself. After he left, the Companions saw a sparrow with two of her young hatchlings. When they took the hatchlings, the sparrow, greatly upset, came and began to spread out her wings. When the Prophet returned he said,

'Who has tormented this bird by taking her young ones? Give them back to her'."

In another report the Prophet & saw an anthill that was burned and declared,

'It is not fitting that anyone but the Lord of the fire should punish with the fire'.'

If Islam has forbidden the burning of ants, how can it allow the burning of human beings? Likewise, when the Prophet sent his Companions for war, he ordered them to avoid burning their enemies. But in the wake of the recent bomb blasts and suicide attacks that burn the harmless people and tear them to pieces, the so-called Muslim terrorist groups that accept responsibility for these attacks convey to the world that the Muslims' concept of jihad is barbaric and oppressive. The opposite, however, is true and Islam has nothing to do with any of this.

¹ Narrated by Abū Dāwūd in al-Sunan: Kitāb al-jihād [The Book of Martial Jihad], chapter: 'The Abhorrence of Burning the Enemy', 3:55 \$2675.

² Narrated by Abū Dāwūd in *al-Sunan: Kutāb al-yhād* [The Book of Martial Jihad], chapter: 'The Abhorrence of Burning the Enemy', 3:55 \$2675.

³ Narrated by al-Bukhārī in al-Ṣahīh: Kitāb al-jihād wa al-siyar [The Book of Martial Jihad and Expeditions], chapter: 'May He Not Suffer the Chastisement of God', 3:1098 §2853; al-Tirmidhī in al-Sunan: Kitāb al-siyar [The Book of Military expeditions], chapter 20, 4:137 §1571; Abū Dāwūd in al-Sunan: Kitāb al-jihād [The Book of Martial Jihad], chapter: 'The Abhorrence of Burning the Enemy', 3:54 §2674.

4.11 THE UNLAWFULNESS OF BREAKING INTO ENEMY HOMES AND LOOT THEM

Muslim forces are strictly forbidden from forcibly entering the houses of their enemies. Islam has emphasized the sanctity of the honour and property of others—even in times of war—and it forbade soldiers from beating children or women or eating the food of others without their permission.

It is reported in Abū Dāwūd's al-Sunan that 'Irbād b. Sāriya al-Sulamī & said, 'We disembarked at Khaybar with the Prophet and many of his Companions were with him. One of the fighters of Khaybar who was arrogant and contentious came to the Prophet and asked, "Is it fair that you slaughter our donkeys, eat our fruits and beat our women?" The Prophet became annoyed and said, "O Ibn 'Awf! Ride on your steed and declare that Paradise is only for the believers, and that they should gather for prayer". When they all gathered together, he stood up and said,

أَيْحْسَبُ أَحَدُكُمْ مُثْكِنًا عَلَى أَرِيكَتِهِ قَدْ يَطُنُ أَنَّ اللهَ لَمْ يُحَرِّمْ شَيْنًا إِلَّا مَا فِي هَذَا الْقُرْآنِ؟ أَلَا وَإِنِّي وَاللهِ، قَدْ وَعَظْتُ، وَأَمْرِتُ، وَنَهَيْتُ عَنْ أَشْيَاءَ، إِنَّهَا لَمِفْلُ الْقُرْآنِ أَوْ أَكْثَرُ. وَإِنَّ اللهَ لَمْ يُحِلُّ لَكُمْ أَنْ تَدْخُلُوا بُيُوتَ أَهْلِ الْكِتَابِ إِلَّا بِإِذْنِ، وَلَا صَرْبَ لِسَائِهِمْ، وَلاَ أَكُن لِمَارِهِمْ.

"Does any of you recline on his couch and imagine that God has not forbidden anything save that which has been mentioned in the Qur'ān? Beware, by God, I have exhorted, issued commands and forbade various matters. They are as numerous as what is found in the Qur'ān, or more. God has not permitted you to enter the houses of the People of the Book without permission, or to beat their women, or to eat their fruit".'

¹ Narrated by Abū Dāwūd in al-Sunan: Kitāb al-kharāj wa al-māra wa al-fay' [The Book of Land Tax, Leadership and the Spoils Acquired without Fighting], 3:170 \$3050; al-Bayhaqī in al-Sunan al-kubrā, 9:204 \$18508; and cited by Ibn 'Abd al-Barr in al-Tamhīd, 1:149.

During the pre-Islamic days of ignorance, the Arab warriors would initiate war for the sole purpose of forcibly acquiring wealth and belongings through pillage and plunder. Plundering the trading caravans had become a business of many tribes, but Islam eliminated this oppressive practice. When some people wanted to loot a caravan of travellers in one of the battles, the Prophet forbade them.

It is reported by Mu'ādh b. Anas & that he was blessed to be with the Prophet in one of the sacred battles. Some people started looting some travellers and when the Prophet acame to know of this, he sent one of the Companions to declare:

'There is no jihad for the one who breaks into the houses of others or loots people on the road'.'

Thus, when those fighting in the way of God resort to plunder and looting, and harass people and become a source of trouble for them, God rejects their emotional appeals to jihad and declares their acts unlawful.

4.12 THE UNLAWFULNESS OF DESTROYING THE CATTLE, CROPS AND PROPERTIES OF THE ENEMY

Islam neither allows the unjust shedding of blood, nor does it approve of the scorched earth policy of total war. Islam calls for reform and peace. Therefore, it takes care that those fighting for its sake do not destroy crops and fruit-bearing trees, or burn down properties.

Imam al-Tirmidhī quoted the following saying of the First Rightly Guided Caliph in this regard:

Narrated by Abū Dāwūd in al-Sunan: Kitāb al-jihād [The Book of Martial Jihad], 3:41 \$2629.

'Abū Bakr al-Ṣiddīq & forbade people from cutting down fruit-bearing trees or destroying buildings [during war]—and the Muslims abided by his instructions after that'.

Many traditions have been reported by Imam Mālik, 'Abd al-Razzāq, Ibn Abī Shayba and al-Bayhaqī to this effect. According to these traditions, the Prophet strictly forbade cutting down trees. Yaḥyā b. Sa'īd states that he was told that while seeing off the Muslim forces for Syria, Abū Bakr al-Şiddīq scame to Yazīd b. Abī Sufyān and told him,

إِنِّي أُومِيْكَ بِمَشْرِ: لَا تَقْتَلُنُّ صَبِيًّا وَلَا امْرَأَةً، وَلَا كَبِيرًا هَرِمًا، وَلَا تَقْطَعَنْ شَجَرًا مُشْهِرًا، وَلَا تُحَرِّبُنُّ عَامِرًا، وَلَا تَعْقِرَنُّ شَاةً وَلَا بَعِيْرًا إِلَّا لِمَأْكَلَةٍ، وَلَا تُحْرِقَنُ نَخْلًا، وَلَا تُعْرَفْتُهُ، وَلَا تَغْلُلْ، وَلَا تَجْبُنْ.

'I command you to observe ten things: Do not kill a young child, a woman or an elderly infirm man. Do not cut down fruit-bearing trees or demolish buildings. Do not slaughter a sheep or camel except for food. Do not drown or burn date-palm trees. And do not steal from the war booty or show cowardice'.²

Ibn Abī Shayba quotes a tradition reported by Mujāhid who said,

لَا يُقْتَلُ فِي الْحَرْبِ الصَّبِيُّ، وَلَا امْرَأَةٌ وَلَا الشَّيْخُ الْفَانِي، وَلَا يُحْرَقُ الطَّمَامُ، وَلَا الشَّحْلُ، وَلَا يُشْعَرُ الْمُنْفِرُ. الشَّوتُ، وَلَا يُقْطَعُ الشَّحْرُ الْمُنْفِرُ.

'Young children, women and infirm elderly men should not be killed in war. Food and date-palm trees should not be burned, houses should not be demolished and fruit-

¹ Narrated by al-Tirmidhī in al-Sunan: Kıtāb al-siyar [The Book of Mılitary Expeditions], 4:122 \$1552.

² Narrated by Mālik in al-Muwaţţa: Kitāb al-nhād [The Book of Martial Jihad], chapter: 'The Unlawfulness of Killing Women and Children During Military Expeditions', 2:447 \$965; 'Abd al-Razzāq in al-Muṣannaf, 5:199 \$9375; Ibn Abī Shayba in al-Muṣannaf, 6:483 \$33121; al-Bayhaqī in al-Sunan al-kubrā, 9:89-90 \$\$17927, 17929; and al-Marwazī in Musnad Abī Bakr, pp. 69-72 \$21.

bearing trees should not be cut'."

'Abd Allāh b. 'Umar & stated in one narration that when Abū Bakr al-Şiddīq & dispatched the Muslim troops to Syria, he walked with them for two miles and addressed them, saying,

'I enjoin you to fear God. Do not disobey [the military commander] or show cowardice. Do not drown date-palm trees or set crops on fire. Do not hobble animals and do not cut down fruit-bearing trees. Do not kill an old man or a young child'.2

'Aşım b. Kulayb narrated on the authority of his father that one of the Anṣār related, 'We set out on a journey with the Prophet . The people were suffering hunger and were in need, so they forcibly took some goats and slaughtered them. The pots were boiling when the Prophet acame over with his back resting against a bow, and he started turning our pans upside down with the bow and mixing the meat with the soil. Then he said,

إِنَّ النَّهُمَةُ لَيْسَتْ بِأَحَلُّ مِنَ الْمَيْتَةِ.

"Eating stolen food is not any more lawful than eating carrion!".'3

What a lofty demonstration of conduct and commitment to ethical principles! Whether in the theatre of war, or during a state of extreme hunger in a long, tiresome journey, no military leader, religious figure or spiritual mentor can demonstrate this level of pious, exalted and strong character. It was the influence

¹ Narrated by Ibn Abī Shayba in al-Muşannaf, 6:483 \$33122.

² Narrated by al-Marwazī in Musnad Abī Bakr, pp. 69-72 \$21.

³ Narrated by Abū Dāwūd in al-Sunan: Kıtāb al-jihād [The Book of Martial Jihad], 3:66 \$2705; and al-Bayhaqī in al-Sunan al-kubrā, 9:61 \$17789.

of the Prophet's training of the Companions that when the pans containing cooked meat were mixed into the dust in front of them, though they were seized with extreme hunger at that time, these embodiments of patience totally submitted themselves before the Prophet ...

The words spoken by the Prophet son that occasion are a valuable gift for humanity. His describing stolen food as viler than the flesh of an un-slaughtered dead animal should give pause to those who feel no compunction in robbing banks and stealing from people to finance their terrorist activities.

4.13 SUMMARY

In the light of the aforementioned explanations, it is evident that even when war is imposed on Islam, and the Muslims are made victims of external aggression and the Islamic state is compelled to order its armies to fight in defence, children, women and the elderly cannot be killed. Furthermore, damaging crops, destroying buildings, properties and places of worship are also strictly forbidden. How can Islam, which does not allow these practices during jihad, condone and approve the killing of non-combatants who are not directly involved in the aggression and who are going about their daily routines? It is abundantly clear that such activities are in direct contravention of the teachings of the Qur'ān and hadith.



CHAPTER 5

On the Protection of the Non-Muslims' Lives, Properties and Places of Worship



5.1 THE PROTECTION OF NON-MUSLIM CITIZENS DURING THE TIME OF THE PROPHET MUHAMMAD (**)

The blessed period of the Messenger of God was an unparalleled time in history. There is no comparable era in which the rights of non-Muslim citizens were so well protected. The Prophet provided a constitutional and legal status to this protection through his agreements, accords, contracts and commands. The agreement worked out with the people of Najran is a notable example in which all their rights and freedoms—in particular religious freedoms—were guaranteed. Imam Abū 'Ubayd al-Qāsim b. al-Sallām, Imam Ḥumayd b. Zanjawayh, Ibn Sa'd and al-Balādhūrī have cited a hadith in which the Prophet dictated:

وَلِنَجْزَانَ وَحَاشِيَتِهَا ذِمَةُ اللهِ وَذِمَةً مُحَمَّدٍ النَّبِيِّ رَسُولِ اللهِ، عَلَى دِمَائِهِمْ وَأَنْفُسِهِمْ
وَمِلْنِهِمْ وَأَرْضِهِمْ وَأَمْوَالِهِمْ وَمِلْنِهِمْ وَرَهْبَالِيَّتِهِمْ وَأَسَاقِفْتِهِمْ وَغَالِيهِمْ وَشَاهِدِهِمْ وَظُرِهِمْ
وَبَعْنِهِمْ وَأَمْوَلِيهِمْ، لَا يُعْبَرُ مَا كَانُوا عَلَيْهِ، وَلا يُعْبَرُ حَقِّ مِن خَفُوقِهِمْ وَأَمْوِلَيهِمْ، لَا
يَعْمَنُ أَمْنَقُتْ مِنْ أَسْقُهُنِّهِهِ، وَلا رَاهِبٌ مِنْ رَهْبَائِيْهِهِ، وَلَا وَاقِفْ مِنْ وَقَافِيْتِهِ، عَلَى مَا
تَحْتَ أَيْدِيْهِمْ مِنْ قَلِيل أَوْ كَيْرُه، وَلَيْسَ عَلَيْهِمْ رَفَقَ.

'Indeed, Najran and her allies are under the protection of God and the guarantee of the Messenger of God ...

They are to be protected in their wealth, lives, lands and religion. This includes their priests, monks, those who are present amongst them and those who are absent and others amongst them, and their delegations and the like. They shall not be forced to change that (faith) which they are upon and no right of theirs is to be forfeited. No monk, priest or attendant amongst them should lose that which is in his possession, be it plentiful or scarce, and no fear or danger will threaten them'. I

¹ Cited by Abū Yūsuf in al-Kharāi, 78; Abū 'Ubayd al-Qāsim b. Sallām in Kitāb

Imam Ḥumayd b. Zanjawayh states that this agreement remained in force during the reign of Abū Bakr al-Ṣiddīq & after the passing of the Messenger of God . Certain amendments were incorporated in it due to the changing circumstances during the reign of 'Umar and 'Uthmān &, but the responsibility for protecting the rights of the non-Muslims, which was the main highlight of the agreement, remained intact.

Likewise, the Prophet issued a declaration about the properties and belongings of the Jews during the conquest of Khaybar. This was reported by Imam Ahmad, Imam Abū Dāwūd, Imam al-Ţabarānī and other Imams of hadith. Khālid b. al-Walīd said,

غَرَوْنَا مَعَ رَسُولِ اللهِ ﷺ غَزْوَةَ خَيْبَرَ، فَأَسْرَعَ النَّاسُ فِي حَطَائِرِ يَهُودَ، فَأَمْرَنِي أَنْ أَنَادِيَ: الصَّلَاةُ. . . . ثُمَّ قَالَ ﷺ: أَيْهَا النَّاسُ، إِنَّكُمْ قَدْ أَسْرَعْتُمْ فِي حَطَائِرِ يَهُودَ. أَلَا! لَا تَحِلُ أَمْوَالُ الْمُمَاهَدِينَ إِلَّا بِحَقِّهَا.

'We fought in the Battle of Khaybar with the Messenger of God and [as victory loomed] some people hastened to enter the compounds of the Jews. The Prophet the then ordered me to deliver the call to prayer...then he said, "O people! You have hastened to enter the compounds of the Jews, but beware, the property of the non-Muslim citizens is not lawful to you except that which is due".'

The same narration has been reported with the following wording as well:

ألَا! وَإِنِّي أُحَرِّمُ عَلَيْكُمْ أَمْوَالَ الْمُعَاهَدِيْنَ بِفَيْرٍ حَقُّهَا.

al-amwāl, pp. 244-245 \$503; Ibn Sa'd in al-Tabaqāt al-kubrā, 1:288, 358; Ibn Zanjawayh in Kttāb al-amwāl, pp. 449-450 \$732; and al-Balādhurī in Futūh al-buldān, p. 90.

¹ Narrated by Ahmad b. Hanbal in al-Musnad, 4:89 §16862; Abū Dāwūd in al-Sunan: Kitāb al-aṭ'ima [The Book of Foodstuffs], chapter: 'The Unlawfulness of Eating Beasts of Prey', 3:356 §3806; and Ibn Zanjawayh in Kitāb al-amwāl, p. 379 §618.

'Beware! I forbid you from the property of the non-Muslim citizens, except that which is due'."

Imam al-Dāraqutnī reported the same hadith in a different wording, where Khālid b. al-Walīd & said,

'On the day of Khaybar the Messenger of God & forbade taking the wealth of the non-Muslim citizens'.2

From the assorted agreements, documents and declarations, we see that the non-Muslim citizens of the prophetic period enjoyed the following rights:

- 1. They enjoy equal treatment under the law
- 2. The protection of their religion from any harm
- 3. Their honour, life and property are protected
- 4. The Islamic government can appoint them to the highest administrative positions, provided they possess the necessary qualifications
- 5. They have the authority to appoint their religious representatives and office-holders without any interference
- 6. Their places of worship are sacred and enjoy complete protection

5.2 The Protection of Non-Muslim Citizens during the Reign of Abū Bakr al-Şidd $\bar{l}Q$

During the caliphate of Abū Bakr al-Ṣiddīq, the non-Muslim citizens had similar rights as their Muslim counterparts. Whenever an Islamic army would leave for a military expedition, Abū Bakr would give special instructions to the commander:

¹ Narrated by al-Țabarăni in al-Mu'jam al-kabîr, 4:111 §3828; and Ibn Zanjawayh in Kitāb al-amwāl, p. 380 §619.

² Narrated by al-Dāraquṭnī in al-Sunan, 4:287 §63.

لَا تُفْسِدُوا فِي الْأَرْضِ وَلَا تَعْمُوا مَا تُؤْمَرُونَ . . . وَلَا تُفَرِقُنُ نَحْلًا وَلَا تُحْرِفُنَهَا، وَلَا تَغْفِرُوا بَهِيْمَةً وَلَا شَجَرَةً تُغْمِرُ، وَلَا تَهْدِمُوا بِيْمَةً، وَلَا تَقْتُلُوا الْمُؤْدَانَ وَلَا الشَّيُوخَ وَلَا النَّسَاءَ. وَسَتَجِدُونَ أَقْوَامًا حَبَسُوا أَنْفُسَهُمْ فِي الصَّوَامِعِ، فَدَعُوهُمْ، وَمَا حَبَسُوا أَنْفُسَهُمْ لَهُ.

'Do not spread corruption in the earth and do not disobey orders. . . . Do not drown or burn date-palm trees. Do not kill any animal. Do not cut down a fruit-bearing tree. Do not demolish a church. Do not kill any children, old people or women. Soon you shall come upon people who have secluded themselves in cloisters; leave them to engage in that for whose sake they have secluded themselves'. I

Ḥusām al-Dīn al-Hındī mentioned an addıtional wording to this report in his Kanz al-'ummāl,

وَلَا مَرِيْضًا وَلَا رَاهِبًا.

'And [do] not [kill] a sick person or a monk'.2

When Abū Bakr رهم sent Yazīd b. Abī Sufyān to Syria, he said, لَا تَفْهِمُوا اللَّهُ مِنْ اللَّهُ عَلَيْهُ اللَّهِ اللَّهُ عَلَيْهُ اللَّهِ اللَّهُ اللّ

'Do not demolish any place of worship . . . and do not kill an old, feeble man or an infant or a child or a woman'.

Thābit b. al-Ḥajjāj al-Kilābī reported that Abū Bakr al-Şiddīq & said while delivering his address,

ألًا! لَا يُقْتَلُ الرَّاهِبُ فِي الصُّوْمَعَةِ.

'Beware!' A priest should not be killed in his church'.4

¹ Narrated by al-Bayhaqī in al-Sunan al-kubrā, 9:85; Mālik in al-Muwaṭṭa, 2:448 \$966; 'Abd al-Razzāq in al-Muṣannaf, 5:199 \$9375; al-Hindī in Kanz al-'ummāl, 1:296; and cited by Ibn Qudāma in al-Mughnī, 8:451-452, 477.

² Narrated by al-Hindi in Kanz al-'ummāl, 4:474 \$11409.

³ Narrated by al-Bayhaqī in al-Sunan al-kubrā, 9:90 \$17929.

⁴ Narrated by Ibn Abī Shayba in al-Muşannaf, 6:483 \$33127; and al-Hindī in

When Khālid b. al-Walīd, under the command of the Abū Bakr al-Ṣiddīq &, returned to Iraq and Iran from the borders of Syria, he concluded an agreement with the non-Muslim inhabitants there that their churches and convents will not be demolished, that they can beat their wooden clapper [nāqūs] without any restriction—except for the times of the five daily prayers—and that they can take out their crucifixes on the occasion of their Eid.¹

5.3 THE PROTECTION OF NON-MUSLIM CITIZENS DURING THE REIGN OF 'UMAR B. AL-KHATTĀB 🔏

During the caliphate of 'Umar b. al-Khattāb &, the respect, dignity and esteem for the non-Muslim citizens of the conquered areas increased so much that they considered themselves more secure and free during that period than before. Montgomery Watt, a renowned orientalist, admitted this in his book Islamic Political Thought: The Basic Concepts. He said, 'The Christians were probably better off as dhimmis under Muslim-Arab rulers than they had been under the Byzantine Greeks'.2

The level of protection and respect shown towards the non-Muslim citizens during 'Umar's caliphate can be gauged from his letter to Abū 'Ubayda &, the then Governor of Syria, in which he said,

'You must prohibit the Muslims from wronging and harming their non-Muslim citizens and consuming their wealth illegally'.

It was the standard practice of 'Umar & that whenever a non-Muslim delegation from the Islamic territories would come to call on him, he would ask them about the conditions of the non-Muslim citizens of their locality, lest some Muslims had created problems for them. To this, they would say, 'We can only say that

Kanz al-'ummāl, 4:472.

¹ Cited by Abū Yūsuf in Kitāb al-kharāj, p. 158.

² Montgomery Watt, Islamic Political Thought: The Basic Concepts, p. 51.

³ Cited by Abū Yūsuf in Kitāb al-kharāj, p. 152.

every Muslim has fulfilled his commitment that is present between the Muslims and ourselves'.

'Umar remained mindful of the rights of the minorities till the last moment of his life. Despite his impending martyrdom at the hands of a member of a minority group, he said,

'I advise my successor to fulfil the contract of the non-Muslim citizens who are under the protection of God and His Messenger . I enjoin him to fight for them if the need arises and not to burden them with more than they can bear'.

5.3.1 'Umar's Relaxation of Tax Collection from the Non-Muslim Citizens

'Umar & instructed his officials to deal with the non-Muslim subjects in an excellent manner and advised them to give concessions to them in levying and collecting taxes. Aslam, a freed slave of 'Umar &, stated,

"Umar 🏂 wrote a letter to the military commanders stating that they should not impose tax on non-Muslim women or children'.

Imam Ibn Qudāma stated,

¹ Narrated by al-Tabarī in Tārīkh al-umam wa al-mulūk, 2:503.

² Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kitāb al-janā'iz [The Book of Funerals], chapter: 'What Has Come Regarding the Grave of the Prophet 1, 1:469 \$1328; Ibn Abī Shayba in al-Muṣannaf, 7:436 \$37059; al-Bayhaqī in al-Sunan al-kubrā, 8:150; and Ibn Sa'd in al-Tabaqāt, 3:339.

³ Narrated by 'Abd al-Razzāq in al-Muşannaf, 6:85 \$10009; and al-Bayhaqī in al-Sunan al-kubrā, 9:195 \$18463.

فَإِنَّ عُمَرَ عِنْ أَبِيَ بِمَالٍ كَثِيْرٍ، قَالَ أَبُو عُبَيْدٍ: وَأَحْسِبُهُ مِنَ الْجِزْيَةِ. فَقَالَ: إِلّي لَخَطُّكُمْ قَدْ أَهْلَكُمْمُ النَّاسَ، قَالُوا: لَا، وَاللهِ، مَا أَحَدُنَا إِلَّا حَفْوًا صَفْوًا. قَالَ: بِلا سَوْطٍ وَلا نَوْطٍ؟ قَالُوا: نَعُمْ. قَالَ: الْحَمْدُ لِلهِ الَّذِي لَمْ يَجْمَلُ ذَلِكَ عَلَى يَدَيُّ وَلَا سَوْطٍ وَلا نَوْطٍ؟ قَالُوا: نَعُمْ. قَالَ: الْحَمْدُ لِلهِ الَّذِي لَمْ يَجْمَلُ ذَلِكَ عَلَى يَدَيُّ وَلا فِي سُلْطَانِي.

'A large amount of wealth was brought to 'Umar, and Abū 'Ubayd said, "I believe it was money collected from tax". 'Umar said, "For certain, you have destroyed the people!" They [the tax collectors] said, "No, by God! We have only taken with tenderness and ease". 'Umar inquired, "Was it acquired without recourse to a whip or coercion?" They replied, "Yes". He said, "All praise is due to God, Who did not put that on my hands or during my rule".'1

During his journey to Syria, 'Umar saw that the tax officials were making the non-Muslim citizens stand out in the sun as their taxes were collected. Upon seeing this, he said,

دَعُوهُمْ، لَا تُكَلِّفُوهُمْ مَا لَا يُطِيِّقُونَ، فَإِنِّي سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: لَا تُعَدِّبُوا النَّاسَ، فَإِنَّ الَّذِيْنَ يُعَدِّبُونَ النَّاسَ فِي الدُّنْيَا يُعَدِّبُهُمُ اللهُ يَوْمَ الْقِيَامَةِ.

'Spare them from this and do not burden them with more than they can bear. Indeed, I heard the Messenger of God

say, "Do not torture people, for those who torture people in this life will be tortured by God on the Day of Resurrection"."

Resurrection"."

2

Upon hearing this, the tax official let them go.

Hishām b. al-Ḥakīm saw 'Iyād b. Ghanam, a government officer of Homs, make a Copt stand out in the sun during the time of tax collection. He reprimanded him and said that he heard the Prophet say,

¹ Ibn Qudāma al-Maqdisī, al-Mughnī, 9:290.

² Cited by Abū Yūsuf in Kitāb al-kharāj, p. 135.

إِنَّ اللَّهَ يُعَدِّبُ الَّذِينَ يُعَدِّبُونَ النَّاسَ فِي الدُّنْيَا.

'Indeed, God shall torment those who torment others in

5.3.2 STIPENDS FOR THE HANDICAPPED, OLD AND POOR NON-MUSLIM CITIZENS

Such was the excellent treatment towards the non-Muslim citizens during the reign of Caliph 'Umar & that the old, disabled and the weak non-Muslim citizens were not only exempted from the tax, but were also given stipends from the government treasury for the maintenance of their households.

Imam Abū 'Ubayd al-Qāsim b. Sallām writes in Kitāb al-amwāl,

إِنْ أَمِيْرَ الْمُؤْمِنِيْنَ عُمَرَ عِيْنِ مَرٌ بِشَيْخِ مِنْ أَهْلِ الذَّمَّةِ يَسْأَلُ عَلَى أَبْوَابِ النَّاسِ، فَقَالَ: مَا أَنْصَفْنَاكَ أَنْ كُنَّا أَخَذْنَا مِنْكَ الْجِزْيَةَ فِي شَيِئْتِكَ، ثُمَّ ضَيَّقْنَاكَ فِي كِبَرِكَ. قَالَ: ثُمَّ أَجْرَى عَلَيْهِ مِنْ بَيْتِ الْمَالِ مَا يُصْلُحُهُ.

'The Commander of the Faithful, 'Umar &, passed by an elderly man amongst the non-Muslim citizens who was begging at people's doors. 'Umar said to him, "We have not been fair to you if we have taken the tax from you when you were younger but left you in helplessness in your old age". After that, 'Umar issued instructions for the man to receive enough money from the public treasury that would take care of his needs'.2

Imam Abū Yūsuf described the same report in Kitāb al-kharā; in the following words:

¹ Narrated by Muslim in al-Ṣaḥīḥ: Kitāb al-birr wa al-ṣila wa al-ādāb [The Book of Piety, Filial Duty and Good Manners], chapter: 'The Severe Divine Threat to the One Who Punishes People Unjustly', 4:2018 § 2613; Abū Dāwūd in al-Sunan: Kitāb al-kharāj [The Book of Land Taxation], chapter: 'On Being Harsh', 3:106 §3045; Aḥmad b. Ḥanbal in al-Musnad, 3:403, 404, 468; and al-Nasā'l in al-Sunan al-kubrā, 5:236 §8771.

² Narrated by Abū Ubayd al-Qāsim b. Sallām in Kitāb al-amwāl, p. 57 §119.

مَوْ عُمَرُ أَنُ الْخَطَّابِ عِلَيْ بِهَابِ قَلْهِ وَعَلَيْهِ سَائِلَ يَسْأَلُ، شَيْخٌ كَيْبَرُ حَرِيْرُ الْبَعَدِ، فَعَالَ: مِنْ أَيِّ أَهْلِ الْكِتَابِ أَلْتَ؟ فَقَالَ: يَهُودِيُ. قَالَ: فَعَا الْجَاكَ إِلَى مَا أَرَى؟ قَالَ أَمْنُ أَنْهُ وَالْحَاجَةُ وَالسَّنِّ. قَالَ: فَاَحَدُ عُمَرُ بِيَدِهِ وَقَعَبَ إِلَى مَنْزِلِهِ فَرَضَحَ لَهُ بِشَيْءٍ مِنَ الْمَنْزِلِ. ثُمَّ أَرْسَلَ إِلَى خَازِنِ بَيْتِ الْمَالِ، فَقَالَ: انْطُرُ هَذَا وَضُرَبَاءُهُ، فَوَاللهِ، مَا أَنْعَلْفَاهُ أَنْ أَكْلُنَا شَيِئِيَةُهُ ثُمْ نَخُلُهُ عِنْدَ الْهَرَمِ فَقَالًا: اللهُ الْمُشْلِمُونَ، وَهَذَا مِنَ الْمُسَاكِينِ وَالْفَقْرَاءُ هُمُ الْمُسْلِمُونَ، وَهَذَا مِنَ الْمُسَاكِينِ مِنْ أَهْم الْمُسْلِمُونَ، وَهَذَا مِنَ الْمُسَاكِينِ مَنْ أَهُمْ الْمُسْلِمُونَ، وَهَذَا مِنَ الْمُسَاكِينِ مَنْ أَهُمْ الْمُسْلِمُونَ، وَهَذَا مِنَ الْمُسَاكِينِ مَنْ أَنْ أَكُمْنَا لَهُ مَا الْمُسْلِمُونَ، وَهَذَا مِنَ الْمُسَاكِينِ مَنْ أَهُمْ الْمُسْلِمُونَ، وَهَذَا مِنَ الْمُسَاكِينِ مَنْ أَوْمَلُ الْكُنَابِ مُنْ الْمُسْلِمُونَ، وَهَذَا مِنَ الْمُسَاكِينِ مَنْ أَوْمَلُ الْمُسْلِمُونَ، وَهَذَا مِنَ الْمُسْلِمُونَ مَنْ الْمُسْلِمُونَ مَنْ الْمُسْلِمُونَ الْمُسْلِمُونَ مَنْ عَنْهُ الْمُسْلِمُونَ مَنْ مَنْ الْمُسْلِمُونَ مَنْ عَنْهُ الْمُسْلِمُونَ ، وَهَنَا مِنَ الْمُسْلِمُونَ مَنْ الْمُسْلِمُونَ مَنْ عَنْهُ الْمُسْلِمُونَ ، وَهَنَا مُنْ الْمُسْلِمُونَ ، وَمَنْ عَنْهُ الْمُسْلِمُونَ مَا الْمُسْلِمُونَ ، وَمَنْ عَنْهُ الْمُسْلِمُونَ مَالِمُ الْمُسْلِمُونَ ، وَهَنْ عَنْهُ الْمُسْلِمُونَ مَنْ الْمُسْلِمُونَ الْمُسْلِمُ الْمُسْلِمُونَ الْمُسْلِمُونَ مَا الْمُسْلِمُونَ الْمُسْلِمُونَ الْمُسْلِمُونَ الْمُسْلِمُونَ الْمُسْلِمُ الْمُسْلِمُونَ الْمُسْلِمُ الْمُسْلِمُونَ الْمُسْلِمُ الْمُسْلِمُونَ الْمُسْلِمُ الْمُسْلِ

"Umar b. al-Khattāb & passed by the door of some people and there was an elderly blind man there, begging. 'Umar put his hand on his arm from behind and asked, "From which group amongst the People of the Book do you belong?" The man replied, "I am a Jew". 'Umar then asked him, "So why are you begging?" "I am begging for money", the man said, "so I can pay the tax and fulfil my needs, because I am too old to earn money". 'Umar took him by the hand and led him to his home and gave him a few things, then he sent him to the treasurer of the public treasury and said, "Take care of him and those like him, for by God, we have not treated him fairly if we benefited from him in his younger days but left him helpless in his old age! "[Then he recited the verse,] 'Charity is only for the poor and indigent" and the poor are amongst the Muslims and this one is from the indigent amongst the People of the Book". So 'Umar exempted him and those like him from payment of taxes'.2

'Abd Allah b. Hadrad al-Aslamī said,

لَمَّا قَدِمْنَا مَعَ عُمَرَ بْنِ الْخَطَّابِ الْجَابِيَّةِ، إِذَا هُوَ بِشَيْخٍ مِنْ أَهْلِ اللَّمْةِ يَسْتَطْمِهُ، فَسَالَ عَنْهُ، فَقُلْنَا: يَا أَمِيرُ الْمُؤْمِنِيْنَ، هَذَا رَجُلٌ مِنْ أَهْلِ الذَّمْةِ كَبُرَ وَضَعْفَ. فَوَضَعَ

¹ Qur'an 9:60.

² Abū Yūsuf, Kitāb al-kharāj, p. 136.

عَنْهُ عُمَرُ الْجِزْيَةُ الَّبِي فِي رَفَيَتِهِ. وَقَالَ: كُلْفُتُمُوهُ الْجِزْيَةَ حَتَّى إِذَا صَمُفَ تَرَكُتُمُوهُ يَسْتَطْجِهُ. فَأَجْرَى عَلَيْهِ مِنْ بَيْتِ الْمَالِ عَشَرَةً دَرَاهِمَ، وَكَانَ لَهُ عِيَالٌ.

'When we reached al-Jābiya with 'Umar b. al-Khaţtāb there was an elderly man from the non-Muslim citizens who was begging others and asking for food. 'Umar inquired about him and we said, "O Commander of the Faithful! This is a man from the non-Muslim citizens. He is elderly and weak". Upon learning of this, 'Umar exempted him from the tax that was due from him and said, "You burdened him with the payment of the tax and when he became weak you left him to beg!" Then 'Umar provided him with ten dirhams [monthly] from the public treasury because he had his family'.'

5.4 THE PROTECTION OF NON-MUSLIM CITIZENS DURING THE REIGN OF 'UTHMAN B. 'AFFAN &

The third phase of the Rightly Guided Caliphate started with a heart-wrenching tragedy. A non-Muslim assassinated 'Umar b. al-Khattab &, making him a martyr. 'Ubayd Allah b. 'Umar was so enraged at the assassination that he killed three people who were involved in the conspiracy: two of whom were Christians and one of whom was a Muslim. After this, 'Ubayd Allah was detained and soon after assuming the role of the third Caliph, 'Uthman b. 'Affan & sought the opinion of the Companions regarding his status. The consensus of the Companions was that 'Ubayd Allah b. 'Umar should be killed in retribution. Had the heirs of those killed not reconciled and forgiven him in lieu of blood money, 'Ubayd Allah would most certainly have been killed. After the reconciliation was reached, the blood money was evenly distributed amongst the victims' families.2 Imam Abū 'Ubayd, Imam Humayd b. Zanjawayh and al-Balādhūrī have cited the following words of 'Uthmān's & official order:

I Ibn 'Asākır, Tārīkh Dimashq al-kabīr, 27:334.

² Ibn Sa'd, al-Tabagāt, 5:17.

'I hereby command you to deal with the non-Muslim citizens in an excellent manner, for they are a folk with a complete guarantee [of protection and rights]'.

This establishes that the blood of Muslims and non-Muslims is of sequal sanctity.

5.5 THE PROTECTION OF NON-MUSLIM CITIZENS DURING THE REIGN OF 'ALI B. ABI Țălib 🚵

During the caliphate of 'Alī b. Abī Ṭālib &, non-Muslim citizens continued to enjoy the same rights and protections they had during the prophetic period and that of the three preceding Rightly Guided Caliphs.

A Muslim who had killed a non-Muslim was presented in the court of 'Alī . After the proof of his crime was furnished and found valid, 'Alī . ordered him to be killed in retribution. The heirs of the killer managed to get the brother of the victim to pardon him in return for a blood money payment. When 'Alī learned of this he said to one of the heirs of the victim,

'Did they [the heirs of the killer] scare you or threaten you in any way?'

He replied in the negative and said that his brother would not come back, even if the killer was killed in retribution, and that since the heirs of the killer would be paying the blood money, which would take care of the needs of his brother's [the victim's] family, he agreed to the reconciliation out of his own will without any pressure. Upon hearing this, 'Alī & said that the final decision rested with him, for he knew better what to do; however, the operative principle of the Shariah is that

¹ Cited by Ibn Sa'd in *al-Tabaqāt*, 1:360; Abū Yūsuf in *Kitāb al-kharāj*, p. 80; Abū 'Ubayd al-Qāsim b. Sallām in *Kitāb al-amwāl*, p. 246 \$505; Ibn Zanjawayh in *Kitāb al-amwāl*, p. 451 \$732; and al-Balādhurī in *Futūh al-buldān*, p. 91.

مَنْ كَانَ لَهُ فِمُعَنَّا، فَدَمُهُ كَدَمِنَا، وَفِيَعُهُ كَلِيَتِنَا.

'Whoever is under our guarantee of protection, then his blood is like our blood, and the blood money due to him is like the blood money due to us'.¹

According to another tradition, our master 'Alī فَقَلَ الْمُسْلِمُ النَّصْرُائِينُ قَبِلَ بِهِ. إِذَا قَقَلَ الْمُسْلِمُ النَّصْرُائِينُ قَبِلَ بِهِ.

'If a Muslim kills a Christian, he should be killed in retribution'.2

5.6 THE PROTECTION OF NON-MUSLIM CITIZENS DURING THE REIGN OF 'UMAR B. 'ABD AL-'AZĪZ &

In strict accordance with the teachings and conduct of the Prophet and the practice of the Rightly Guided Caliphs, 'Umar b. 'Abd al-'Azīz & would always instruct his officials, saying,

لَا تَهْدِمُوا كَنِيْسَةً وَلَا بِيْعَةً وَلَا بَيْتَ نَارٍ.

'Do not demolish any church, cloister or Zoroastrian temple'.3

There is a famous incident in which an Umayyad ruler, Walīd b. 'Abd al-Mālik, seized a piece of property belonging to the Church of Damascus and made it a part of a mosque. When news of this reached 'Umar b. 'Abd al-'Azīz, he ordered the demolishment of that portion of the mosque and instructed that it be returned to the Christians. One report about this incident reads:

لَمُّنَا اسْفَخْلَفَ عُمَرُ بْنُ عَبْدِ الْعَزِيْزِ عِلَىٰ، شَكَى النَّصَارَى إِلَيْهِ مَا فَعَلَ الْوَلِيْدُ بِهِمْ فِي كَيْسَتِهِمْ، فَكَتَبَ إِلَى عَامِلِهِ يَأْمُرُهُ بِرَدِّ مَا زَادَهُ فِي الْمَسْجِدِ.

¹ Narrated by al-Bayhaqī in al-Sunan al-kubrā, 8:34; al-Shāfi'ī in al-Musnad, 1:344; and cited by al-Shaybanī in Kitāb al-hujja 'alā Ahl al-Madīna, 4:355.

² Cited by al-Shaybānī in *Kitāb al-hujja 'ala Ahl al-Madīna*, 4:349; and al-Shāfi'ī in *al-Umm*;—7:320.

³ Cited by Ibn Qayyim al-Jawziyya in Ahkām ahl al-dhimma, 3:1200.

'When 'Umar b. 'Abd al-'Azīz & became the Caliph, the Christians complained to him about al-Walīd's seizure of Church property. He dictated orders to his governor there, commanding him to return to them the portion that was added to the mosque'."

'Umar b. 'Abd al-'Azīz 🔌 said to one of his governors,

'If it [their Church] was from amongst the fifteen Churches that were extant during their reign, then it is off limits to you'.²

It is also reported that 'Umar b. 'Abd al-'Azīz & wrote to the governor about a Muslim in his territory who had killed a non-Muslim citizen. He ordered him to hand that Muslim over to the guardian of the victim, who was then given the choice to either pardon him or have him. The governor handed the killer over to the guardian of the victim, and the former was subjected to capital punishment.³

Whether during the prophetic period or the period of the Rightly Guided Caliphs and those after them, Islamic history is replete with the examples of excellent treatment towards non-Muslim citizens of the Islamic state. The members of other nations and religions would live a peaceful and comfortable life there to the extent that they regarded Islamic rule preferable to the rule of others. Their places of worship were afforded complete protection and security, and they were free to follow and practise their religion. All of their economic needs were met from the bayt al-māl (public treasury). People were so impressed by the Muslims' excellent manners and character that millions of non-Muslim citizens chose to embrace Islam willingly out of their own volition.

¹ Cited by al-Baladhūrī in Futūḥ al-buldān, p. 150.

² Cited by Abū 'Ubayd al-Qāsim b. Sallām in Kitāb al-amwāl, p. 201 §426; and Ibn Zanjawayh in Kitāb al-amwāl, p. 387 §635.

³ Narrated by 'Abd al-Razzāq in al-Muşannaf, 10:101 §18518.

156 | FATWA ON TERRORISM AND SUICIDE BOMBINGS

It is disconcerting to see that Muslims—let alone non-Muslims—are not safe from the terrorist activities of the modern-day extremists. The peace of society is shattered, blood is shed with reckless abandon and properties and infrastructures are subject to wanton destruction. The conduct of today's terrorists defaces the 1400-year history of Islam's excellent treatment of non-Muslim citizens. The acts of terrorism committed today do not champion the cause of Islam; rather, they malign its good name.

CHAPTER 6

THE UNLAWFULNESS OF FORCING ONE'S BELIEF UPON OTHERS AND DESTROYING PLACES OF WORSHIP



6.1 PRELIMINARY STATEMENT

Islam gives complete religious freedom to non-Muslims, and the Islamic government is not to interfere in their religious affairs. Islam also guarantees the protection of their places of worship and other religious sites, as well as their life, honour and property. In short, Islam presents an unprecedented model of tolerance, harmony and peaceful co-existence. The Qur'an fostered feelings of harmony amongst religions and ensured their freedom to the point that it forbade the believers from insulting the false gods of other faith traditions. God says in the Qur'an,

'And do not insult those whom they worship besides God, lest they insult God wrongfully and out of ignorance'."

There can be no better example of interfaith tolerance than this.

6.2 THE COMPLETE FREEDOM TO PRACTISE ONE'S RELIGION

There is no room for coercion in Islam and no one can be forced to convert. Islam gives complete religious freedom to all non-Muslim citizens to adhere to their respective faith traditions and to freely practise their teachings. God says,

'There is no compulsion in religion. Surely, right guidance is clearly distinguished from error'.2

Ibn Kathīr explained this verse in the following words:

'Do not coerce anyone to embrace the religion of Islam, for its proofs and evidence are clear, obvious and

¹ Qur'an 6:108.

² Ibid., 2:256.

manifest. There is no need for anyone to be coerced into embracing it'.

God also says in the Qur'an,

'So will you coerce people until they become believers?"2

God has strictly forbidden the Muslims from coercing others to embrace Islam. Therefore, no non-Muslim can be compelled to become a Muslim, because Islam is not merely the profession of faith or the performance of bodily rituals; it requires the confirmation and conviction of the heart; and in matters of the heart, there is no scope for coercion.

When 'Umar & granted security and protection to the people of Jerusalem, his treaty formed the constitution of religious freedom available for non-Muslims in an Islamic society. He wrote:

هَذَا مَا أَعْطَى عَبْدُ اللهِ عُمْرُ أَمِيرٌ الْمُؤْمِنِينَ أَهْلَ إِيْلِيَاءَ مِنَ الْأَمَانِ. أَعْطَاهُمْ أَمَانَا لِإِنْفُسِهِمْ وَأَمْوَالِهِمْ وَلِكَتَائِسِهِمْ وَصُلْبَانِهِمْ، وَسَقِيْمِهَا وَبَرِيْبُهَا وَسَائِرِ مِلْيَهَا، أَلَّهُ لَا لَمُنكُنُ كَتَائِسُهُمْ وَلَا يُعْدَمُ، وَلَا يُنتَقَصُ مِنهَا وَلَا مِنْ حَيْرِهَا، وَلَا مِنْ صَلِيْهِمْ، وَلَا مِنْ شَيْءٍ مِنْ أَمْوَالِهِمْ، وَلَا يُضَارُ أَحَدٌ مِنهُمْ، وَلَا يَسْكُنُ مِنْ شَيْءٍ مِنْ أَمْوَالِهِمْ، وَلَا يَضَارُ أَحَدٌ مِنهُمْ، وَلَا يَسْكُنُ مِنْ شَيْءٍ مِن أَلْهُوهِ.

'This is the covenant of security from the servant of God, 'Umar, the Commander of the Faithful, to the people of Jerusalem. He grants them security in their lives, properties, churches, crucifixes and to their ill and their healthy and their entire religious community. Their churches are not to be occupied, demolished or decreased in number. Their churches or crucifixes should not be desecrated, or anything else of their property. They are not to be coerced to abandon their faith, and no one

¹ Ibn Kathīr, Tafstr al-Qur'ān al-'Azīm, 1:310.

² Qur'ān 10:99.

amongst them is to be harmed in any way. And none of the Jews are to reside with them in Jerusalem [due to the severe enmity between them in those days].¹

Professor Philip K. Hitti writes, 'They [non-Muslims] were allowed the jurisdiction of their own canon laws as administered by the respective heads of their religious communities. This state of partial autonomy, recognized later by the Sultans of Turkey, has been retained by the Arab successor states'. Further on he writes, 'All non-Moslems were allowed autonomy under their own religious heads. ... Syria as a whole remained largely Christian until the third Moslem century. ... In fact Lebanon remained Christian in faith and Syriac in speech for centuries after the conquest'. 4

The opinion of Hitti and other non-Muslim orientalists testifies to the fact that the Islamic governments did not resort to coercion or pressure to change the religion of the non-Muslim citizens in their territories. Non-Muslims were given complete freedom and protection to practise their religions and hold fast to their faith traditions. Despite the Muslim conquests of these areas, the Christians held firm to their religion and the Muslim governments neither interfered with their faith nor hindered its practice. This demonstrates the benevolence of Islam, which has been duly appreciated by many non-Muslim researchers and historians.

6.3 THE UNLAWFULNESS OF KILLING A NON-MUSLIM AND DESTROYING HIS OR HER PROPERTY DUE TO RELIGIOUS DIFFERENCES

The diversities and differences between the various faith traditions cannot be a basis for killing others and seizing their wealth. It is unequivocally forbidden to oppress others through torture,

¹ Narrated by al-Tabarī in Tārīkh al-umam wa al-mulūk, 2:449.

² Philip K. Hitti, History of the Arabs, p. 170.

³ Ibid., p. 225.

⁴ Ibid., p. 231.

slander or false accusations—no matter what their race, religion or region. There is a recompense for every excess as God says,

'O you who believe! Retribution [qışāş] is prescribed for you in cases where one is unjustly killed'.

Here, the word qatlā has been used, which encompasses both Muslims and non-Muslims, and then there is the order of 'a life for a life' in retribution. This can include the life of both a Muslim and a non-Muslim. Elsewhere in the Qur'an God says,

'And We prescribed for them in it [the Torah] retribution: a life for a life, an eye for an eye, a nose for a nose, an ear for an ear, a tooth for a tooth and for injuries'.²

Likewise, if a Muslim steals from a non-Muslim, the prescribed punishment [hadd] can be enforced against him. Ibn Rushd reports that there is a consensus amongst the Muslims on this matter.³ This illustrates that differences in religious doctrine do not justify killing or stealing from others.

6.4 It is a Sunna of the Prophet to Safeguard the Non-Muslims' Places of Worship

The Prophet allowed non-Muslims to retain their places of worship. Detailing the Prophet's practice and, Ibn al-Qayyim mentioned that the Prophet allowed the places of worship belonging to the non-Muslims to remain intact after the conquest of Khaybar and did not allow them to be demolished. When other areas became part of the Islamic empire, the Rightly Guided

¹ Qur'ān 2:178.

² Ibid., 5:45.

³ Ibn Rushd, Bidāyat al-mujtahid, 2:299.

Caliphs and Companions followed the Prophet's orders and did not demolish them.

6.5 It is a Religious Obligation to Safeguard the Non-Muslims' Places of Worship

According to the Qur'ān and prophetic hadith, it is binding upon the Islamic state to safeguard the sanctity of the religious sites and places of worship belonging to other religions, and to afford them complete protection. God says in the Qur'ān,

'And had God not repelled one group of people from another, the cloisters, synagogues, churches and mosques in which God's name is mentioned in abundance would have been ruined'.

In his commentary on this verse, Imam Abū Bakr al-Jaşşāş quoted the words of Imam al-Hasan al-Basrī:

'God uses the believers as a means of preventing the destruction of the places of worship belonging to the non-Muslim citizens'.3

Al-Jașșāș continued:

'Within this verse there is a proof that it is impermissible to destroy the aforementioned places of worship belonging

¹ Ibn Qayyim al-Jawziyya, Aḥkām ahl al-dhimma, 3:1199.

² Qur'ān 22:40.

³ Abū Bakr al-Jassās, Aḥkām al-Qur'ān, 5:83; and Ibn al-Qayyim, Aḥkām ahl al-dhimma, 3:1169.

to those of the non-Muslims who are citizens or under a guarantee of protection'.

Al-Akhfash stated in his interpretation of the same verse that the places of worship belonging to the non-Muslims should not be demolished at all. So in other words, it is the responsibility of the Islamic state to provide them complete protection in all circumstances. Every community safeguards its own values and culture and it is their right to do so. So the Muslims have been ordered to protect the places of worship belonging to the non-Muslims, despite religious differences.

Ibn al-Qayyim writes in Ahkām ahl al-dhimma,

'God uses the believers to defend their places of worship.... Moreover, it is obligatory for him [the believer] to defend their objects of worship, even though he detests them. This is the correct position and it is the view of Ibn 'Abhās'.²

6.6 THE UNLAWFULNESS OF DESTROYING THE NON-MUSLIMS' PLACES OF WORSHIP LOCATED IN MUSLIM-MAJORITY AREAS

Islam has strictly forbidden the Muslims from destroying the places of worship that belong to non-Muslims—even if they are located in Muslim-majority areas. The Islamic state is constitutionally responsible for the protection and safeguarding of these sites. Imam Abū Bakr al-Jaṣṣāṣ quoted Muhammad b. al-Ḥasan al-Shaybānī, who said,

فِي أَرْضِ الصُّلْحِ إِذَا صَارَتْ مِصْرًا لِلْمُسْلِمِيْنَ، لَمْ يُهْدَمْ مَا كَانَ فِيهَا مِنْ بِيعَةِ أَوْ كَيْسَةٍ أَوْ بَيْتِ نَارِ.

¹ Abū Bakr al-Jassās, Ahkām al-Qur'ān, 5:83.

² Ibn Qayyim al-Jawziyya, Aḥkām ahl al-dhimma, 3:1169.

'When a territory under treaty becomes a territory of the Muslims, no church, sanctuary or Zoroastrian temple that was there before should be demolished'.

All of these quotes and texts establish that Islam orders the Muslims to safeguard the places of worship that belong to the non-Muslim citizens of the Islamic lands. Furthermore, Islam grants them complete freedom to practise their religion without any interference. Considering all this, how is it possible that a person who claims to be a Muslim can shamelessly murder people engaged in worship and destroy their places of worship?

¹ Abū Bakr al-Jassās, Aḥkām al-Qur'ān, 5:83.



CHAPTER 7

LEGAL MAXIMS CONCERNING THE BASIC RIGHTS OF THE NON-MUSLIM CITIZENRY OF AN ISLAMIC STATE



7.1 LEGAL MAXIMS

As demonstrated by the Qur'an, the hadith reports and the practical examples of the Prophet and the Rightly Guided Caliphs, we see that Islam not only endows non-Muslim citizens with the same rights as their Muslim counterparts, but also offers them equal protection. Islamic history is replete with examples of this. In the light of the revealed texts and precedents of the Rightly Guided Caliphs which we have mentioned in the previous chapters, many legal maxims can be derived concerning the fundamental rights of the non-Muslim citizens in an Islamic state. Of them:

- It is the responsibility of the Islamic state to protect the life, honour and property of its non-Muslim citizens from internal aggression
- 2. It is the responsibility of the Islamic state to protect its non-Muslim citizens from external aggression
- 3. In the Islamic state, Muslims and non-Muslims are equal with respect to blood money and retribution
- 4. The sanctity of the blood of a Muslim and a non-Muslim is the same
- 5. In the Islamic state, Muslim and non-Muslim citizens enjoy the same general rights and responsibilities
- 6. In the Islamic state, its non-Muslim citizens enjoy complete freedom to adhere to their faith
- 7. In the Islamic state, its non-Muslim citizens enjoy complete religious freedom to perform their rituals of worship
- 8. It is the Islamic state's responsibility to provide security to non-Muslim diplomats
- It is the Islamic state's responsibility to arrange for the security
 of the religious leaders and places of worship of non-Muslims
- 10. It is the Islamic state's responsibility to care for the disabled, elderly and poor non-Muslim citizens
- II. It is the Islamic state's responsibility to ensure that the sanctity of all religions in its territory is respected



THE UNLAWFULNESS OF REBELLING AGAINST THE MUSLIM STATE, ADMINISTRATION AND AUTHORITY



8.1 What is Rebellion and Who is a Rebel?—Terms, Definitions and Signs

In the preceding pages we described the Islamic teachings pertaining to the prohibition of torturing Muslims, killing non-Muslims and bringing harm to the non-combatants of an enemy nation—including their properties and crops. This chapter seeks to determine the magnitude and heinousness of rebellion and terrorism in an Islamic state. Since this chapter deals exclusively with rebellion, we must first explain the meanings of words 'rebellion' and 'terrorism', and identify the signs of those who engage in them.

8.2 THE LEXICAL DEFINITION OF REBELLION

The Arabic equivalent of the word 'rebellion' is derived from the word 'baghyun', which sometimes implies demand and sometimes oppression and excess. According to the jurists, rebellion means to disobey the commands of a lawful government and launch armed struggle against it.

The philologist Ibn Fāris said:

بَغْيُ: الْبَاءُ وَالْفَيْنُ وَالْبَاءُ، أَصْلَانِ: أَحَدُهُمَا طَلَبُ الشَّيْءِ، وَالثَّانِي: جِنْسٌ مِنَ الْفَسَادِ . . . وَالْأَصْلُ الثَّانِي ۚ فَوْلُهُمْ بَهَى الْجَرْءُ، إِذَا تَوَامَى إِلَى فَسَادٍ . . . ثُمَّ يُشْتَقُ مِن هَذَا مَا بَعْدَهُ، فَالْبَغْيُ الْفَاجِرَةُ . . . وَمِنْهُ أَنْ يَبْغِيَ الْإِنْسَانُ عَلَى الْآخِرِ . . . وَإِذَا كَانَ ذَا بَغِي فَلَا بُدْ أَنْ يَقَعَ مِنْهُ فَسَادٌ . . ، وَالْبُغْيُ: الطَّلْمُ.

The origin of the word baghyun is from the letters $b\bar{a}$, ghayn and $y\bar{a}$, and it has two primary meanings: [one] to seek something, and [two] a type of depravity. . . . Regarding the second meaning, it is found in their statement, that 'the wound got septic $(bagh\bar{a})$ or it deteriorated. . . . Then, after this, the other words are derived from it; so it is said that baghyun is an adulteress

because she transgresses the limits of chastity and commits fornication... And that baghyun from the same origin also implies oppression committed by one against the other... When it becomes someone's habit then mischief generates from his behaviour. That is why baghyun is also used to imply violence and oppression.

Ibn Nujaym defined rebellion in the following words:

The word bughāt is the plural of $b\bar{a}gh$ (rebel). He who 'transgressed $[bagh\bar{a}]$ against people' is the one who oppressed and committed excess. It also means that he spread mischief. From it comes the term al-firqa al- $b\bar{a}ghiya$ (the rebellious sect), because it deviated from the middle path . . . and the fi a $b\bar{a}ghiya$ (the rebellious group) is one that does not obey the writ of the state. a

Ibn Khaldūn elaborates on the concept of imamate in the following words: 'The caliphate and emirate refer to the successorship of the possessor of the Sacred Law [the Prophet] in safeguarding the religion and the affairs of the world'. (Ibn Khaldūn, al-Muqaddtma, p. 134.) In contemporary times we have new terms for all sciences, so we have translated some common Islamic terms into the contemporary legal language. The word 'imam' has been translated as 'government', 'Muslim government' and 'Muslim state', and 'obedience' [ta'a, rryāsa] have been translated as the administration of the state and authority.

¹ Ibn Fārıs, *Muʿjam maqāyīs al-lugha*, p. 144; and Ibn Manzūr, *Lisān al-ʿArab*, 14:75–78.

² Ibn Nujaym, al-Bahr al-rā'iq, 5:150.

In Islamic literature, such as hadith books, Qur'anic exegeses and works pertaining to jurisprudence and doctrine, we find that the terms used for the Islamic state are jamā'a [congregation] or Emirate, and that for the ruler, the terms caliph, emir or imam are used. The Prophet so used the words jamā'a and imam when he said, 'Stick to the congregation of the Muslims and their Imam'. (al-Bukhārī in al-Ṣaḥīḥ: Kitāb al-fitan [The Book of Tribulations], chapter: 'What Should be Done when There is no Congregation', 2:2595 \$2273; and Ibn Mājah in al-Sunan: Kitāb al-fitan [The Book of Tribulations], chapter: 'On Seclusion', 2;1317 \$2979.)

Al-Haşkafī said about rebellion,

أَلْهُمْيُ لُفَةً: الطُّلَبُ، وَمِنْهُ: ﴿ ذَالِكَ مَا كُنَّا النَّبِي ﴾. وَعُزَفًا: طَلَبُ مَا لَا يَجِلُ مِنْ جَوْرٍ وَظُلْمٍ.

'Lexically, the word baghyun means to seek or demand something. An example of this meaning is in the verse, "That is what we were seeking [nabghi]" [Qur'an 18:46]. Conventionally, it means to seek that which is unlawful, such as oppression, tyranny and terror'."

These semantic details are given in lexicons such as *Tahdhīb* al-lugha, al-Ṣiḥāḥ and Lisān al-ʿArab. These lexical definitions prove that the word 'rebellion' means 'excess' and 'oppression'. Furthermore, it also refers to the breach of all legal, constitutional and Islamic limits to spread strife, mischief and chaos in society.

8.3 THE LEGAL DEFINITION OF REBELLION

The lexicologists have provided various definitions for rebellion, all of which converge on the same root meaning. Likewise, numerous legal definitions have also been mentioned by the different schools of Islamic jurisprudence.

8.3.1 REBELLION ACCORDING TO THE ḤANAFĪ SCHOOL OF IURISPRUDENCE

The name of Ibn Humām figures prominently in the Hanafī school. He spelled out the most comprehensive definition of rebellion in his book, Fath al-Qadīr, and described the different kinds of rebels. He said:

اَلْبَاغِي فِي عُرْفِ الْفُقْهَاءِ: الْحَارِجُ عَنْ طَاعَةِ إِمَامِ الْحَقِّ. وَالْحَارِجُونَ عَنْ طَاعَتِهِ أَرْبَعَةُ أَصْنَافِ:

أَحَدُهَا: الْخَارِجُونَ بِلَا تَأْوِيْلِ بِمَنَعَةٍ وَبِلَا مَنَعَةٍ، يَأْخَلُونَ أَهْوَالَ النَّاسِ وَيَقْتَلُونَهُمْ وَيُخِيقُونَ الطَّرِيْقَ، وَهُمْ قُطَّاعُ الطَّرِيقِ.

وَالنَّانِي: قَومٌ كَذَلِكَ إِلَّا أَنْهُمْ لَا مَنَعَةَ لَهُمْ لَكِنْ لَهُمْ تأويْل. فَحُكْمُهُمْ حُكُمُ فُطَّاع

Al-Ḥaṣkafī, al-Durr al-mukhtār, 4:261.

الطَّرْبِيِّ. إِنْ قَتَلُوا قَبِلُوا وَمُلِبُوا. وَإِنْ أَحَدُوا مَالَ الْمُسْلِمِيْنَ قُطِعَتْ أَيْدِيْهِمْ وَأَرْجُلِهِمْ عَلَى مَا عُرِفَ.

وَالنَّالِثُ: قَوْمٌ لَهُمْ مَنَعَةٌ وَحَمِيَةٌ حَرَجُوا عَلَيْهِ بِتَأْوِيْلِ يَرَوْنَ أَلَهُ عَلَى بَاطِلِ كُفْرِ أَوْ مَعْصَيَةٍ. يُوجِبُ قِتَالَةُ بِتَأْوِيْلِهِمْ. وَهَوْلَاءِ يُسَمَّوْنَ بِالْحَوَارِجِ يَسْتَجِلُونَ دِمَاءَ الْمُسْلِمِيْنَ وَمُعْمَلُهُمْ عِنْدَ وَلِمُعْرَوْنَ أَصْحَابَ رَسُولِ اللهِ عَلَيْهِ. وَحُكْمُهُمْ عِنْدَ وَمُعْمُومُ عِنْدَ مَعْمُورِ الْفُو فَيَحَمُّونَ أَصْحَابَ رَسُولِ اللهِ عَلَيْهِ. وَحُكْمُهُمْ عِنْدَ جَمُهُورِ الْفُقَهَاءِ وَجَمْهُورِ أَهْلِ الْحَدِيْثِ حُكْمُ الْهُفَادِ.

وَالرَّابِعُ: قَوْمٌ مُسْلِمُونَ حَرَجُوا عَلَى إِمَامِ وَلَمْ يَسْتَبِيْحُوا مَا اسْتَبَاحَهُ الْحَوَارِجُ، مِنْ دِمَاءِ الْمُسْلِمِيْنَ وَسَنِي ذَرَارِهِهِمْ وَهُمُ الْبُقَاةُ.

According to the conventional usage amongst the jurists, the word $b\bar{a}gh\bar{\imath}$ [rebel] denotes the one who rebels against the authority of the government. Those who challenge the writ of the state are four kinds:

- [1] Those who rebel without any incorrect interpretation [ta'wīl]—whether they have a force of arms or not—and who seize the wealth of people, murder them and terrorise travellers on the road. They are brigands.
- [2] A folk who are just like the aforementioned group. They do not have a force of arms, but do have an incorrect interpretation. The legal ruling upon this group is that they are considered brigands: if they fight they are to be killed and crucified, and if they steal the wealth of the Muslims the prescribed punishment has to be given to them, in the manner that is well-known [in Islamic law].
- [3] A folk who have a force of arms and protection, and who rebel against the writ of the government with an incorrect interpretation and believe that the government is based on falsehood, disbelief or disobedience, and that according to their incorrect interpretation it is obligatory to rebel against it; this group is called Kharijites. They declare lawful the blood and wealth of the Muslims, capture their womenfolk and declare the Companions of God's Messenger apostates. According to the majority

of the jurists and the traditionists [ahl al-hadīth] they are given the same ruling as that of the rebels [bughāt].

[4] A group of Muslims who rebelled against the government, but did not declare lawful what the Kharijites declared lawful, such as shedding the blood of the Muslims and capturing their children. This group is considered amongst the rebels [bughāt].

'ayn al-Dīn b. Nujaym al-Ḥanafī defined rebels as:

'A group of Muslims who rebelled against a legitimate government, but did not declare lawful what the Kharijites declared lawful, such as shedding the blood of Muslims and capturing their children'.²

bn 'Abıdın al-Shāmı defined rebellion in Radd al-muḥtār in the ollowing words:

'The people of rebellion include every faction that possesses force of arms and seeks to gain power; they fight the people of justice on the basis of an incorrect interpretation, and argue that "the truth is with us" and that they are the true authorities', 3

n al-Durr al-mukhtār, al-Ḥaṣkafī described three different kinds f rebels:

Ibn Humām, Fath al-Qadīr, 5:334.

Ibn Nujaym, al-Bahr al-rā'iq, 5:151.

Ibn 'Ābidīn al-Shāmī, Radd al-muḥtār, 4:262; al-Dasūqī, al-Ḥāshiya, 4:261; nd Badr al-Dīn al-'Aynī in al-Bināya sharh al-Hidāya, 5:888.

قَوْمُ لَهُمْ مَنَمَةٌ خَرَجُوا عَلَيْهِ بِتَأْوِيْلِ يَرَوْنَ أَنَّهُ عَلَى بَاطِلِ كُفْرٍ أَوْ مَعْمِيَةٍ، تُوجِبُ قِتَالَهُ بِتَأْوِيْلِهِمْ. وَيَسْتَحِلُونَ دِمَاءَنَا وَأَمْوَالْنَا، وَيَسْبُونَ نِسَاءَنَا وَيُكَفِّرُونَ أَصْحَابَ بَيِّنَا ﷺ. وَحَكْمُهُمْ حَكْمُ الْبُعَاةِ بِإِجْمَاعِ الْفُقْهَاءِ كَمَا حَقْقَهُ فِي الْفَنْحِ.

Furthermore, those who rebel against the government and spread mischief are three types: brigands [quttā' al-tarīq], ... rebels [bugbāt]... and Kharijites. As for the Kharijites, they are a folk possessing a force of arms who rebel against the government on the basis of an incorrect interpretation by which they believe it is based on falsehood, disbelief or disobedience, and who believe, according to their incorrect interpretation, that it is obligatory to engage in militancy against the state. They declare lawful the shedding of our blood and the seizure of our wealth, and they capture our womenfolk and declare our Prophet's Companions disbelievers. According to the consensus of the jurists, they take the same judgement as the rebels, as he [Ibn Humām] verified in al-Fath [Fath al-Oadīr].

8.3.2 Rebellion According to the Mālikī School of Jurisprudence

Imam Muhammad b. Ahmad b. al-Juzayy al-Kalbī, one of the notable jurists of the Mālikī school, wrote:

The rebels are those who fight on the basis of a self-styled interpretation, and who refuse to accept the authority of the state, or who, by force of arms, refuse to obey it, or who refuse to fulfil a duty that is incumbent upon them, such as Zakat and the like.²

Imam al-Dasūqī writes in his marginalia on al-Sharh al-kabīr in the chapter titled, 'The Section on Rebellion and Related Matters':

¹ Al-Haşkafī, al-Durr al-mukhtār, 4:262-263.

² Ibn Juzayy al-Kalbī, al-Qawānīn al-fiqhiyya, p. 364.

هُوَ لَفَةُ التَّمَدِّي وَبَعَى فُلَانٌ عَلَى فُلَانٍ: اسْتَطَالَ عَلَيْهِ. وَشَرْعًا قَالَ ابْنُ عَرَفَة: هُو الْوَاتِيَنَاعُ مِنْ طَاعَةِ مَنْ ثَبَتَتْ إمَامُتُهُ فِي خَيْرِ مَعْصِيَةٍ بِمُقَالَبَةٍ وَلُوْ تَأْوُلُا.

'Lexically, it means to transgress. It is said "so-and-so baghā against so-and-so" if he went against him. Legally, it is, as Ibn 'Arafa said, "To employ force—even if through a self-styled interpretation—while refusing lawful obedience to a lawfully established government".'

.3.3 REBELLION ACCORDING TO THE SHAFI'I SCHOOL OF IRISPRUDENCE

nam al-Nawawī penned an entire chapter on fighting rebels in s book Rawdat al-ţālıbīn. He defined the term rebel, saying,

اَلْبَاغِي فِي اصْطِلَاحِ الْفُلَمَاءِ هُوَ الْمُحَالِفُ لِلإِمَامِ الْفَدْلِ، الْخَارِجُ عَنْ طَاعَتِهِ بِالْمَبْنَاعِهِ مِنْ أَذَاءِ وَاجِبٍ عَلَيْهِ أَوْ غَيْرِهِ بِشَرْطٍ.

'In the technical nomenclature of the scholars, the term "rebel" denotes the one who goes against the Muslim government, defies and conditionally withholds that which he or others are duty-bound to fulfil'.

akariyyā al-Anşārī al-Shāfi'ī defined rebels, sayıng:

ٱلْبُمُّاةُ هُمْ مُخَالِقُو إِمَامٍ بِتَأْوِيْلٍ بَاطِلٍ ظَنَّا وَشَوْكَةٍ لَهُمْ، وَيَجِبُ قِتَالُهُمْ. وَأَمَّا الْحَوَارِجُ: وَهُمْ فَوْمٌ يُكَفِّرُونَ مُرْتَكِبَ كَبِيرُةٍ وَيَشْرِكُونَ الْجَمَاعَاتِ، فَلَا يُقَالِلُونَ مَا لَمْ يُقَالِلُوا.

Rebels are those who, possessing strength, go against the government on the basis of a speculative and false interpretation. It is obligatory to fight them [to crush their revolt]. As for the Kharijites, they are a folk who declare those who commit enormities to be disbelievers, and they abandon the community [jamā'a]; they are not to be fought as long as they do not fight.²

Yaḥyā al-Nawawī, Rawḍat al-ṭālibīn, 10:50.

Zakariyyā al-Anṣārī, Manhaj al-ţullāb, 1:123.

Imam al-Shirbīnī said in al-Iqnā':

اَلْبُغَاةُ جَمْعُ بَاغٍ. وَالْبَعْيُ الطَّلْمُ وَمُجاوَزَةُ الْحَدِّ. سُمُوا بِذَلِكَ لِطُلْدِهِمْ وَعُدُولِهِمْ عَنِ
الْحَقْ. وَالأَصْلُ فِيْهِ آيَةً: ﴿ وَإِن طَآلِفَتَانِ مِنَ الْمُؤْمِينَ الْمُتَتَلُوا ﴾. وَلَيْسَ فِيهَا فِحُوْ
الْحُرُوجِ عَلَى الإمام صَرِيْحًا لَكِنتها تَشْمَلُهُ بِمُمُومِهَا أَوْ تَقْتَصِيْهِ، لِأَنَّهُ إِذَا طُلِبَ الْقِتَالُ
لَبَعْى طَائِفَةٌ عَلَى طَائِفَةٍ فَلِلْبَغْي عَلَى الإمام أَوْلَى. وَهُمْ مُسْلِمُونَ مُحَالِفُو إِمَامِ وَلُو
جَائِزًا، بِأَنْ حَرَجُوا عَنْ طَاعَتِهِ بِعَدَمِ الْقِيَادِهِمْ لَهُ أَوْ مُنْعِ حَقَّ تَوَجَّدَ عَلَيْهِمْ كُوكًا ﴿
إِللَّهُوطِ الْآتِيَةِ. وَيُقَاتِلُ أَهْلُ الْغَي وَجُوبًا كُمّا اسْتُغِيْدَ مِنَ الْآيَةِ الْمُتَقَلِّمَةِ.

The word 'bughāt' is the plural of bāgh, and baghyun is oppression and going beyond the bounds. They Ithe rebels are given this name because of their oppression and departure from the truth. The basis for this is found in the verse, 'And if two parties amongst the believers fight each other . . . 'I [Our'an 49:9] There is no explicit mention here of rebellion against the Muslim government. but its general import does include it or imply it, because if it is ordered to fight the rebellious of two contending parties, then it is ordered—a fortiori—to fight against the one who rebels against the government. These are the anti-government Muslims, even if the government is oppressive. They revolt against the writ of the government through disobeying it or withholding rights due upon them, such as the payment of Zakat with previously mentioned conditions. It is obligatory to fight the rebels. as is inferred from the aforementioned verse.2

Imam al-Shirbīnī has also described the same detail in his other work, Mughnī al-muḥtāj (4:123).

¹ The complete verse is: 'And if two parties amongst the believers fight each other then make peace between them. And if one party goes against [baghat] the other, then all of you together fight the contentious party until they all submit to the command of God'. Ep.

² al-Shirbīnī, al-Iqnā^c, 2:547.

.3.4 REBELLION ACCORDING TO THE HANBALI SCHOOL OF JRISPRUDENCE

on Hubayra al-Hanbalī described rebellion in the following ords:

'They [the jurists] all concurred that if a party possessing strength rebels against the writ of the Muslim government, with self-styled and mistaken interpretations, it is permissible to fight them until they submit to the writ of the state'.'

nam Ibn Qudāma al-Maqdisī defined rebels as:

'A folk from the people of truth [i.e., the Muslims] that rebel against the writ of the state due to some alluring interpretation, and that seek to overthrow the government with the force of arms and strength'.²

luhammad b. Muflih al-Magdisī al-Ḥanbalī wrote in al-Furū':

The rebels are those who rise against the state due to some apparently alluring interpretation, and who possess power; they are not a small group—contrary to the view of Abū Bakr [al-Marwazī]—even if they do not fit the conditions for being considered brigands [quttā' al-tarīq].

Ibn Hubayra, al-Ifsah, p. 402.

Ibn Qudāma al-Maqdısī, al-Kāfī, 4:147; al-Shirbīnī, Mughnī al-muhtāj, 123–124; and al-Qarāfī, al-Dhakhīra, 5:512.

In al-Targhib it is mentioned: 'They are not considered to have power unless there is one person amongst them who is obeyed [as a leader]'. And they can also be considered [rebels] if they apply their force in any part [of the Islamic state's jurisdiction]."

Imam Ibrāhīm b. Muḥammad b. 'Abd Allāh b. Mufliḥ al-Ḥanbalī writes in al-Mubdi',

اَلْهَيْ مَصْدَرُ بَهَى يَبْهِى بَعْيًا إِذَا اعْتَدَى. وَالْمُرَادُ هُمَا الطُّلَمَةُ الْخَارِجُونَ عَنْ طَاعَةِ الْإِمَامِ الْمُعْتَدُونَ عَلَيْهِ.

'Baghyun is the verbal noun of the verb baghālyabghī. It is said that someone "baghā" if he transgressed. In this context it means the oppressors who rebel and transgress against the Muslim government'.²

Mar'ī b. Yūsuf al-Ḥanbalī wrote in Ghāyat al-muntahā:

هُمُ الْخَارِجُونَ عَلَى إِمَامٍ وَلَوْ غَيْرٍ عَدْلٍ، بِتَأْوِيْلِ سَائِعٍ وَلَهُمْ شَوْكَةٌ، وَلَوْ لَمْ يَكُنْ فِينِهِمْ مُطَاعً وَيَحْرُمُ الْخُرُوجُ عَلَى الْإِمَامِ وَلَوْ غَيْرِ عَدْلٍ.

They are the ones who, with an apparently appealing interpretation, rebel against the Muslim government, even if it is unjust. And they possess power, even if they have no central leader who is obeyed. It is unlawful to rebel against the writ of the government, even if it is unjust.³

Al-Buhūtī al-Ḥanbalī wrote in Kashshāf al-qinā 'an matn al-iqnā', in the chapter on fighting rebels,

هُوَ مَصْدَرُ بَهَى يَبْغِي إِذَا اعْتَدَى، وَالْمُرَادُ هُنَا الطَّلْمَةُ الْحَارِجُونَ عَنْ طَاعَةِ الْإِمَام الْمُعْتَدُونَ عَلَيْهِ.

I Ibn Muflih, al-Furū', 6:147.

² Ibn Mufliḥ, al-Mubdi^c, 9:159-160.

³ Mar'î b. Yüsuf al-Karmî, Ghāyat al-muntahā, 3:348.

'It [baghyun] is the verbal noun of the verb baghā/yabghī. It is said that someone "baghā" if he transgressed. In this context it refers to the oppressive rebels who revolt and transgress against the writ of the state'. I

.3.5 REBELLION ACCORDING TO THE JA'FART SCHOOL OF JRISPRUDENCE

bū Ja'far Muhammad b. Ḥusayn al-Ṭūsī, the Ja'farī jurist, penned 1 entire chapter in his book al-Iqtisād al-hādī ilā tarīq al-rashād, escribing the prescriptions against rebels. He said:

الْبَاغِي هُوَ كُلُّ مَنْ حَرَجَ عَلَى إِمَامِ عَادِلِ وَشَقَّ عَصَاهُ، فَإِنَّ عَلَى الْإِمَامِ أَنْ يُقَاتِلَهُمْ. وَيَجِبُ عَلَى كُلُّ مَنْ يَسْتَنْهِضُهُ الْإِمَامُ أَنْ يَنْهَحْنَ مَعَهُ وَيُعَاوِنُهُ عَلَى قِتَالِهِمْ، وَلا يَجُوزُ لِغَيْرِ الْإِمَامِ قِتَالُهُمْ بِغَيْرٍ إِذْنِهِ. فَإِذَا قُوتِلُوا لَا يُرْجَعُ عَنْهُمْ إِلاَّ أَنْ يَقِينُوا إِلَى الْحَقِّ أَوْ يُقْتَلُوا، وَلَا يُغْبَلُ مِنْهُمْ عِوْضٌ وَلا جِزْيَةً.

وَالْبُغَاةُ عَلَى صَرَيْشِنِ: أَحَدُهُمَا: مَنْ لَهُ رَئِيْسٌ يَرْجِعُونَ إِلَيْهِ. فَهَؤُلَاءِ يَجُوزُ أَنْ يُجْتَازَ عَلَى جَرَاحَاتِهِمْ وَيَتَّبَعَ مُدْبِرُهُمْ وَيَقْتَلَ أَسِيرُهُمْ. وَالْآخَرُ: لَا يَكُونُ لَهُمْ فِيْهِ رَئِيْسٌ، فَهَؤُلَاءِ لَا يُجَازُ عَلَى جَرِيْجِهِمْ وَلَا يُقْتَلُ أَسِيرُهُمْ.

The word rebel denotes everyone who rebels and revolts against a Muslim government. It is the duty of the government to fight them, and it is obligatory upon everyone whom the government drafts [to fight them] to go with it or help it in fighting them. It is impermissible for someone other than the government to fight them—unless it is by its permission. When they are fought, there must be no turning back unless they return to the truth or are killed. Neither tax [in lieu of fealty] nor compensation is accepted from them.

There are two types of rebels. The first type is a group that has a leader to whom they defer. It is permissible to finish off their wounded, pursue those of them who

Al-Buhūtī, Kashshāf al-qınā' 'an matn al-Iqnā', 6:158.

flee [in battle] and kill those of them who are captured. The second type is a group that does not have a leader to whom they defer; their wounded and captured ones are not to be killed.

The Ja'farī jurist and Qur'ānic exegete, al-Fadl b. al-Ḥasan al-Ṭabarsī, defined the term 'rebel' in al-Mu'talif min al-mukhtalif,

'A rebel is the one who revolts and fights against a Muslim state, and refuses to give it his rightful due'.

These quotes demonstrate that the renowned and the distinguished scholars of the Muslim world have described rebellion in much the same way, and with little variation, despite their different eras, doctrines and schools of jurisprudence. It is important for us to know the conclusions of the various jurisprudential traditions so we may assimilate them into one single definition.

All of the esteemed jurists interpreted the term 'rebels' as a group whose actions spring from extremism and who challenge the authority of the government on the basis of their self-styled interpretations. The terrorism we are facing today belongs to the same category and deserves the same treatment meted out to the terrorists of the past. If enforced, the aforementioned legal precepts would uproot terrorism.

8.3.6 REBELLION ACCORDING TO CONTEMPORARY JURISTS

The sixteenth session of the Muslim World League was held in the Islamic Academy of Jurisprudence in Mecca, from January 5 to January 10, 2002, under the supervision of King Fahd bin Abdul Aziz, the Custodian of the two Sanctuaries. After five days of deliberation, the 'Makka Declaration' defined terrorism:

¹ Al-Ţūsī, al-Iqtiṣād al-hādī ilā ṭarīq al-rashād, p. 315.

² Al-Tabarsī, al-Mu'talıf mın al-mukhtalıf, 2:377.

وَالْقَتْلَ بِغَيْرِ حَقَّ وَمَا يَتُعِبِلُ بِمِنْوَرِ الْحَرَابَةِ وَإِخَافَةِ السَّبِيْلِ وَقَطْع الطَّريق، وَكُلِّ فِعْل مِنْ أَفْعَالِ الْمُنْفِ أَوِ التَّهْدِيْدِ، يَقَعُ تَنْفِيْذًا لِمَشْرُوعِ إِجْرَامِيٍّ فَرْدِيٍّ أَوْ جَمَاعِيٍّ، وَيَهْدِفُ إِلَى إِلْقَاءِ الرُّعْبِ بَيْنَ النَّاسِ، أَوْ تَرْوِيْعِهِمْ بِإِنْذَائِهِمْ، أَوْ تَعْرِيْض حَيَاتِهِمْ أَوْ حُريَّتِهِمْ أَوْ أَمْنِهِمْ أَوْ أَحْوَالِهِمْ لِلْحَطَرِ، وَمِنْ صُنُوفِهِ إِلْحَاقُ الطُّرَرِ بِالْبِيئَةِ أَوْ بِأَحَدِ الْمَرَافِق وَالْأَمْلَاكِ الْعَامَّةِ أَو الْخَاصَّةِ، أَوْ تَعْرِيْضِ أَحَدِ الْمَوَارِدِ الْوَطَنِيَّةِ، أو الطَّبْيْعِيَّةِ لِلْخَطَرِ، فَكُلُّ هَذَا مِنْ صُور الْفَسَادِ فِي الْأَرْضِ الَّتِي نَهَى اللَّهُ سُبْحَانَهُ وَتَعَالَى الْمُسْلِمِيْنَ عَنْهَا: ﴿ وَلَا تَبْعُ الْفَسَادَ فِي الْأَرْضِ إِنَّ اللَّهَ لَا يُحِبُّ الْمُفْسِدِينَ ﴾. وقد شَرَعَ اللهُ الْجَزَاءَ الرَّادِعَ لِلْإِرْهَابِ وَالْعُدُوانِ وَالْفَسَادِ، وَعَدَّهُ مُحَارَبَةَ اللهِ وَرَسُولِهِ عُيْمِ: ﴿إِنَّمَا جَزَآؤَا ٱلَّذِينَ يُحَارِبُونَ ٱللَّهَ وَرَسُولَهُ وَيَسْعَوْنَ فِي ٱلْأَرْضِ فَسَادًا أَن يُقَتَّلُواْ أَوْ يُصَلِّبُواْ أَوْ تُقَطُّعَ أَيْدِيهِمْ وَأَرْجُلُهُمْ مِّنْ خِلَفِ أَوْ يُنقَوْا مِنَ ٱلْأَرْضِ ذَالِكَ لَهُمْ خِزْيّ فِي ٱلدُّنْيَا وَلَهُمْ فِي ٱلْأَخِرَةِ عَذَابٌ عَظِيمٌ ﴾

وَلَا تُوجَدُ فِي أَيِّ قَانُونِ بَشَرِيٌّ عُقُوبَةً بِهَذِهِ الشِّدَّةِ نَظْرًا لِخُطُورَةِ هَذَا الْاعْتَدَاءِ، الَّذِي يُعَدُّ فِي الشَّرِيْعَةِ الْإِسْلَامِيَّةِ حَرْبًا ضِدَّ حُدُودِ اللهِ، وَضِدَّ حَلْقِهِ. وَيَؤَكَّدُ الْمَجْمَحُ أَنَّ مِنْ أَنْوَاعِ الْإِرْهَابِ: إِرْهَابَ الدُّولَةِ، وَمِنْ أَوْضَعِ صُوُرِهِ وَأَشَدُّهَا شَنَاعَةَ الْإِرْهَابَ الَّذِي يُمَارِسُهُ الْيَهُودُ فِي فِلَسْطِيْنَ، وَمَا مَارَسَهُ الصُّرْبُ فِي كُلِّ مِنَ الْبَوْسَنَة وَالْهَرْسَك وْكَوْسَوْفًا، وَرَأَى الْمَجْمَعُ أَنَّ هَذَا النَّوْعَ مِنَ الْإِزْهَابِ مِنْ أَشَدَّ أَنْوَاعِهِ خَطَّرًا عَلَى الْأَمْنِ وَالسَّلَامِ فِي الْعَالَمِ، وَعَدَّ مُوَاجَهَتَهُ مِنْ قُبِيْلِ الدِّفَاعِ عَنِ النَّفْسِ، وَالْجِهَادِ فِي سَبيْل اللهِ.

Terrorism is aggression perpetrated by individuals, groups or states in a spirit of oppression against one's religion, blood, reason, wealth or honour. It comprises all types of fear-inducing behaviours, harms and threats, including armed burglary, the spreading of fear amongst travellers and acts of highway robbery. It covers all acts of violence or threats to commit individual or group crimes for the sake of striking fear amongst people or terrifying them through threats of causing harm to them or endangering their lives, freedom, security or general conditions. Included in the types of terrorism is the endangering of national or natural resources or the damaging of public utilities or private properties. All of the above are types of mischief on earth which God prohibited Muslims from committing when He said in the Our'an: 'And seek not mischief in the earth. Indeed, God does not like those who spread mischief. God has legislated a rigorous punishment for terrorism, aggression and corruption and regarded them as acts of war against God and His Messenger : 'Indeed, those who wage war against God and His Messenger li.e., perpetrate terrorism, robbery and burglary amongst people], and remain engaged in creating mischief in the land, their punishment is that they should be slain, or crucified, or their hands and their feet on opposite sides should be cut off, or that they should be exiled from the land. That is for them a humiliation in this world, and for them there is a terrible torment in the Hereafter'.2

There is not to be found any man-made law that prescribes such a severe punishment that is commensurate with the severity of this crime—a crime that the Shariah considers as war against the limits set by God, and against His creation. This council reiterates its stance that state-terrorism is a type of terrorism, and that its clearest examples are the acts of terror perpetrated by the Jews in Palestine and the Serbs in Bosnia Herzegovina and Kosovo. It is the view of this council that state-terror is the most dangerous form of terror threatening world security and peace, and it is this council's view that countering this state-terror is self-defence and jihad in the path of God.

¹ Qur'an 28:77.

² Ibid., 5:33.

8.4 THE LEGAL DEFINITION OF 'UNLAWFUL WARFARE' AND 'ILLEGAL FIGHTERS'

Some religious scholars have used the word 'rebel' to mean 'illegal fighter' [muḥārib] and others have differentiated between a rebel and an illegal fighter and described different ways of dealing with both. Imam Ibn Humām said,

'They [muḥāribūn] are those who rebel without a self-styled interpretation [justifying it on religious grounds], with or without force of arms, and who steal people's wealth, kill them and spread terror on the road'. I

Imam Ibn 'Abd al-Barr also defined robbers, brigands and illegal fighters as those who shed blood and violate the dignity and honour of others. He said,

'Every individual who blocks the roads, spreads fear, sows corruption on the earth by seizing wealth and shedding blood and violates those whose honour God has made inviolable [i.e., chaste women] is an illegal fighter [muhārib]'.2

8.5 THE DISTINGUISHING CHARACTERISTICS OF REBELS Imam al-Kāsānī, one of the notable jurists of the Ḥanafī school, said:

ٱلْهُفَاةُ هُمُ الْخَوَارِجُ. وَهُمْ قَوْمٌ مِنْ رَأْبِهِمْ أَنَّ كُلُّ ذَنْبٍ كُفْرٌ كَبِيرُةً كَانَتْ أَوْ صَغِيرُةً،

¹ Ibn Humām, Fatḥ al-Qadīr, 6:99; al-Māwardī, al-Iqnā', p. 143.

² Ibn 'Abd al-Barr, al-Kāfī fī fiqh Ahl al-Madīna, 2:1087; al-Dardīr, al-Sharḥ al-saghīr, 4:492-493.

يَخْرُجُونَ عَلَى إِمَامٍ أَهْلِ الْمَدْلِ. وَيَسْتَجِلُونَ الْقِتَالَ وَالدَّمَاءَ وَالْأَمْوَالَ بِهَذَا التَّأْلِيلِ وَلَهُمْ مَنْعَةً وَقُوَّةً.

The rebels [bughāt] are the Kharijites, and they are a folk who believe that every sin is disbelief, whether it is a major or a minor sin. They rebel against the Muslim state, and with this self-styled interpretation they believe it is lawful to kill, shed blood and seize wealth; and they possess force and strength.¹

In his well-known marginalia, Ḥāshiya al-Bujayrimī, Sulaymān b. 'Umar b. Muhammad al-Shāfi'ī wrote:

أَمًّا الْعَوَارِجُ: وَهُمْ صِنْفٌ مِنَ الْمُنْتَدِعَةِ. فَالِلُونَ: بِأَنَّ مَنْ أَتَى كَبِيرَةً كَفَرَ وَحَبِطَ عَمَلُهُ وَخُلْدَ فِي النَّارِ وَأَنَّ دَارَ الْإِسْلَامِ بِظُهُورِ الْكَبَائِرِ بِهَا تَصِيرٌ دَارَ كُفْرِ.

As for the Kharijites, they are a group from the innovators who assert that when someone commits a grave sin, he has disbelieved, his good deeds are null, and that he will abide eternally in Hell. They also believe that the lands of Islam become lands of disbelief when enormities are committed in them.²

In his book al-Mughnī, Imam Ibn Qudāma al-Maqdisī penned a chapter on the subject of fighting rebels. Referring to verses nine and ten of Sūra al-Ḥujurāt, he described the religious prescription regarding rebels and described the various kinds of Kharijites:

الْحَارِجُونَ عَنْ قَبْضَةِ الْإِمَامِ أَصْنَافٌ أَنْهَعَةً ·

آخَدُهَا: قَوْمٌ امْتَنَعُوا مِنْ طَاعَتِهِ وَخَرَجُوا عَنْ قَبْصَتِهِ بِغَيْرٍ تَأُويْلٍ، فَهَؤُلَاءِ قُطَّاعُ طَرِيْقٍ سَاعُونَ فِي الْأَرْضِ بِالْفَسَادِ.

النَّانِي: قَوْمٌ لَهُمْ تَأْوِيْلٌ إِلاَّ أَنْهُمْ نَفَرْ يَسِيْرٌ لَا مَنَعَةَ لَهُمْ كَانُواحِدِ وَالْإِفْنَيْنِ وَالْعَشْرَةِ وَمَخْوِمِهْ. فَهُؤُلَاءِ قُطَاعُ طَرِيْقٍ فِي قَوْلِ أَكْثَرِ أَصْحَابِنَا، وَهُوَ مَذْهَبُ الشَّافِيقِ لِأَنْ

¹ Al-Kāsānī, Badā'i' al-şanā'i', 7:140.

² Sulaymān al-Bujayrımī, al-Hāshıya, 4:201.

ابْنَ مُلْجِعِ لَمُا جَرَحَ عَلِيًا ﴿ قَالَ لِلْحَسَنِ: إِنْ بَرِلْتُ رَأَيْتُ رَأَيِي، وَإِنْ مُتُ فَلَا رُمُتُكُوا بِهِ.

الثَّالِثُ: اَلْحَوَارِجُ الَّذِيْنَ يُكَفِّرُونَ بِالذَّنْبِ وَيُكَفِّرُونَ عُثْمَانَ وَعَلِيَّا وَطَلْحَةَ وَالنَّهَيْرُ وَكَثِيرًا مِنَ الصَّحَابَةِ وَيَسْتَحِلُونَ دِمَاءَ الْمُسْلِمِيْنَ وَأَمْوَالَهُمْ إِلاَّ مَنْ حَرَجَ مَعَهُمْ.

الرَّابِعُ: قَوْمٌ مِنْ أَهْلِ الْحَقِّ يَخْرُجُونَ عَنْ قَبْصَةِ الْإِمَامِ وَيَرُومُونَ خَلْفَهُ لِتَأْوِيْلِ سَائِعٍ، وَفِيْهُمْ مَنَعَةَ يَخْتَاجُ فِي كَفْهِمْ إِلَى جَمْعِ الْجَيْشِ. فَهَوْلَاءِ الْبُقَاةُ الَّذِيْنَ لَلْكُرُ فِي هَذَا الْبُالِ خَكْمَهُمْ وَوَاجِبٌ عَلَى النَّاسِ مَعُونَةً إِمَامِهِمْ فِي قِتَالِ الْبُقَاةِ . . . لِأَنْهُمْ لَوْ الْبُوا مَعُونَةً لَقَهَرَةً أَمْلُ الْبُكَى وَظَهَرَ الْفَسَادُ فِي الأَرْض

Those who are outside of the writ of the government and its authority are four categories:

- [1] The first category is of those who refuse to obey the writ of the government and who rebel against it without a self-styled interpretation. They are brigands who spread mischief in the land.
- [2] The second category is of those who have a self-styled interpretation, but they are a miniscule party without power, such as one or two people, or ten and the like. According to the position of most of our [Hanbalī] colleagues [and the position of al-Shāfi'ī], they are brigands, because when Ibn Muljam¹ stabbed 'Alī, ['Alī] said to al-Ḥasan, 'If I recover from this I will decide about him, and if I die do not mutilate his corpse'.
- [3] The third category is of those who are Kharijites: those who declare [others] disbelievers because of sins, and who declare 'Uthmān, 'Alī, Ṭalḥa, Zubayr and many of the Companions disbelievers. And they believe that it is lawful to shed the blood of the Muslims and seize their wealth—except those of them who rebel along with them.
- [4] The fourth category is of a folk from the people of truth [i.e., the Muslims] that rebel against the Muslim

¹ 'Abd al-Rahmān b. Muljam al-Murādī, the Kharıjıte who assassinated 'Alī 逸. Ed.

government due to a self-styled interpretation, and they seek, with force of arms and strength, to overthrow the government.¹

Just as the jurists concur on the definition of rebels, so too they agree on their distinguishing characteristics. Their first characteristic is that they declare Muslims disbelievers and justify extremism through their erroneous interpretation of the religion, issuing verdicts of disbelief against the Muslims and the corrupt rulers in the Muslim lands. Their characteristics are similar to those of the Kharijites. Thus, the judgment of the fourth Caliph, 'Alī &, against the Kharijites of his day is equally applicable to their modern counterparts.

Ibn Qudāma al-Maqdisī, al-Mughnī, 9:3, 5.

CHAPTER 9

Rebellion: Its Gravity and Punishment



9.1 WHY IS REBELLION A GRAVE CRIME?

We see from the previously mentioned definitions and details that those who revolt and commit acts of terrorism against Muslim citizens and governments do not deserve any concessions, because the power, strength, stability and survival of any nation depends on unity and community cohesion, which these terrorists attempt to destroy. The gravity and magnitude of rebellion against Muslim governments can be gauged from the following commandment of God Almighty,

'Indeed, those who wage war against God and His Messenger and remain engaged in creating mischief in the land [i.e., perpetrate terrorism, robbery and burglary], their punishment is that they should be slain, or crucified, or their hands and their feet on opposite sides should be cut off, or that they should be exiled from the land. That is for them a humiliation in this world, and for them there is a terrible torment in the Hereafter'.

This verse indicates that it is binding on the state to eliminate those who terrorise society through militancy and violence, irrespective of their faith that they claim to uphold. Explaining the aforementioned verse, Ibn 'Abbās & said,

مَنْ شَهَرَ السَّلَاحَ فِي فِتَةِ الْإِسْلَامِ وَأَخَافَ السَّبِيْلَ، ثُمَّ ظُفَرَ بِهِ وَقَدَرَ عَلَيْهِ، فَإمَامُ الْمُسْلِمِيْنَ فِيْهِ بِالْحِيَارِ إِنْ شَاءَ قَتَلَهُ وَإِنْ شَاءَ صَلَيْهُ وَإِنْ شَاءَ قَطَعَ يَدَهُ وَرِجُلَهُ.

¹ Qur'ān 5:33.

'Whoever takes up arms against the community of Islam, terrorises the roads and is subsequently captured and apprehended, it is the discretion of the government to kill him, crucify him or cut off his hands and feet from opposite sides'.¹

Imam al-Ţabarī and Ibn Kathīr reported that Sa'īd b. al-Musayyab, Mujāhid, 'Aṭā', al-Ḥasan al-Baṣrī, Ibrāhīm al-Nakha'ī and al-Ḍahḥāk all shared the same position. Imam al-Suyūṭī narrated the same view in al-Durr al-manthūr. Imam al-Qurṭubī mentioned in his exegesis that this verse was revealed in connection with a group in the time of the Prophet . They murdered peaceful people and plundered wealth, and in turn received a severe punishment.

This verse also indicates that capital punishment is lawful. Al-Qāḍī Thanā' Allāh Pānīpatī wrote:

أَجْمَعُوا عَلَى أَنَّ الْمُرَادَ بِالْمُحَارِشِنَ الْمُفْسِدِيْنَ فِي هَدِهِ الْآيَةِ قُطَّاعُ الطَّرِيْقِ، سَوَاءً كَانُوا مُسْلِمِيْنَ أَوْ مِنْ أَهُلِ اللَّمَةِ. وَالثَّقُوا عَلَى أَنْ مَنْ بَرَزَ وَشَهَرَ السَّلَاحَ مُخِيثًا مُهِيرًا حَارِجَ الْمِصْرِ بِحَيْثُ لَا يُنْرِكُهُ الْعَوْثُ، فَهُوَ مُحَارِبٌ قَاطِعٌ لِلطَّرِيْقِ جَارِيَةٌ عَلَيْهِ أَحْكَامُ هَذِهِ الْآيَةِ. وَقَالَ الْبَعَوِيُ: الْمُكَابِرُونَ فِي الْأَمْصَارِ دَاعِلُونَ فِي حُكْم هَذِهِ الْآيَةِ.

They [the jurists] concurred that 'those who wage war and sow corruption in the earth' mentioned in the verse are the brigands, whether they are Muslims or from the non-Muslim citizens. They also agreed that the one who takes up arms for the purpose of spreading fear on the roads outside of the urban areas—as no help can reach there—is an unlawful combatant [muhārib] and brigand who is subject to the rulings contained in this verse. . . . Al-Baghawī said, 'Those who rebel within the urban areas are also subject to the ruling contained in this verse'.²

¹ Ibn Kathīr, Tafsīr al-Qur'ān al-'Azīm, 2:51; al-Ţabarī, Jāmi' al-bayān, 6:214.

² Al-Qādī Thanā' Allāh Pānīpatī, al-Tafsīr al-mazharī, 3:86.

Al-Zamakhsharī interpreted this verse, saying,

يُجَازِلُونَ رَسُولَ اللهِ، وَمُحَانَيَةُ الْمُسْلِمِيْنَ فِي حُكْمِ مُحَانَتِهِ.

'They wage war against the Messenger of God , and waging war against the Muslims takes the same legal ruling as waging war against him ...'

Citing this exact quote from al-Zamakhsharī, Abū Ḥafş al-Ḥanbalī commented:

أَنَّ الْمَقْصُوْدَ الثَّهُمْ يُحَارِئُونَ رَسُولَ اللهِ ﷺ وَإِنَّمَا ذَكَرَ اسْمَ اللهِ – تَبَارَّکَ وَتَعَالَى – تَعْظِيْمًا وَتَشْخِيْمًا لِمَنْ يُحَارَبُ، كَقَوْلِهِ تَعَالَى: ﴿إِنَّ الَّذِينَ يَبَايِمُونَكَ إِنَّمَا يُبَايِمُونَ اللّهُ﴾.

What is meant here is that they wage war against the Messenger of God —and God's name was only mentioned in exaltation and esteem for the one against whom war is waged, similar to the statement of God Most High, 'Indeed, those who pledge fealty to you are only pledging fealty to God'. [Qur'ān 48:10]²

Speaking on this verse, Imam Ibn Humām said that terrorism is tantamount to waging war against God, the Messenger & and the general body of Muslims:

سُمِّيَ قَاطِعُ الطَّرِيِّقِ مُحَارِيًا لِلَّهِ إِنَّ الْمُسَافِرَ مُعْتَمِدٌ عَلَى اللهِ تَعَالَى. فَالَّذِي يُويَالُ أَمْنَهُ مُحَارِبٌ لِمَنْ اعْتَمَدَ عَلَيْهِ فِي تَحْصِيْلِ الْأَمْنِ. وَأَمَّا مُحَارِبُتُهُ لِرَسُولِهِ عَلَيْهِ فِي تَحْصِيْلِ الْأَمْنِ. وَأَمَّا مُحَارَبُتُهُ لِرَسُولِهِ عَلَيْهِ فَإِمَّا بِاعْتِبَارِ عِصْهَانِ أَمْرِهِ وَإِمَّا بِاعْتِبَارِ أَنَّ الرَّسُولَ عَلَيْهِ هُوَ الْحَافِظُ لِطَوْبِقِي الْمُسْلِمِيْنَ وَالْحُلْفَاءُ وَالْحُلْفَاءُ وَالْمُلُوثُ بَعْدَهُ ثُوانَهُ. فَإِذَا قُطِعَ الطَّرِيقُ الَّي تَولَى حِفْظَهَا بِنَفْسِهِ وَنَائِهِ فَقَدْ حَارَبَهُ. وَالْمُلُونُ عَبَادَ اللهِ.

The brigand is called one who wages war against God, because the traveller relies upon God Most High; so

¹ Jār Allāh al-Zamakhsharī, al-Kashshāf 'an ḥaqā'ıq ghawāmıd al-Tanzīl, 1:661.

² Abū Ḥafş al-Ḥanbalī, *al-Lubāb fī ʿulūm al-Kıtāb*, 7:303.

the one who spoils his security wages war against the one in whom the traveller trusts for the obtainment of security. As for his waging war against His Messenger, it is either because he disobeys him, or because the Messenger is the one who safeguards the paths of the Muslims, and the caliphs and kings after him are his deputies. So he who acts as a highway bandit on the roads that the Messenger and his deputies took upon themselves to safeguard has waged war against him. On the other hand, the phrase can be understood as one in which the first particle of the construction is omitted, so in other words it means those who wage war against the servants of God.¹

These aforementioned quotes prove that those who engage in terrorism are engaged in war against God and His Messenger and the Muslim community entire.

9.2 AN IMPORTANT POINT

Highway robbers and bandits are also declared rebels and must be put to death according to the verse of *Sūra al-Mā'ıda* and its subsequent exegeses. Highway robbers block roads and cause misery to God's creation. In the present-day scenario, this crime also includes incidents where terrorists hold people hostage by taking over buildings, schools or mosques by force.

Terrorism is a form of social disruption that causes peaceful people to die a tormenting death and suffer from psychological distress and mental disorders. Terrorism has plagued the entire society with fear. Since terrorists attempt to mislead people by baseless and specious interpretations, their activities are a form of religious strife. This is also the reason why God declared them killers of humanity, or worse, those who wage war against God and His Messenger. The Almighty has declared these mischiefmongers and terrorists the killers of humanity or the perpetrators of even a bigger sin. God's words are clear,

Ibn Humām, Fath al-Qadīr, 5:177.

﴿ وَٱلْفِعْنَةُ أَشَدُ مِنَ ٱلْقَعْلِ ﴾

'And tribulation [fitna] is worse than killing'."

9.3 THE PROPHET'S & CONDEMNATION OF ARMED UPRISING AGAINST THE MUSLIM COMMUNITY

The Prophet we vehemently condemned the forces of dissention and declared them outside the pale of Islam, saying, 'they are not from me'. They deviate from the right path, indiscriminately kill peaceful people, and rise in revolt against the state and society at large. Our Prophet the one who gave us the Shariah, prescribed severe punishments against rebels and mischief-makers, and the jurists followed suit with legal edicts in their respective periods.

The Prophet & severely warned against rebellion,

مَنْ حَرَجَ مِنَ الطَّاعَةِ وَفَارَقَ الْجَمَاعَةَ فَمَاتَ، مَاتَ مِيْتَةً جَاهِلِيَّةً، وَمَنْ قَاتَلَ تَحْتَ رَايَةً عِمْيَّةً يَعْضَبُ لِعَمْيَةٍ أَوْ يَدْعُو إِلَى عَمْيَةٍ أَوْ يَنْصُرُ عَمْيَةً فَقُيلَ فَقِتْلَةً جَاهِلِيَّةً، وَمَنْ حَرَجَ عَلَى أَمْنِي يَضْرِبُ بَرُهَا وَفَاجِرَهَا وَلَا يَتَحَاشَى مِنْ مُؤْمِنِهَا وَلَا يَفِي لِلِي عَهْدِ عَهْدَهُ فَلَيْسَ مِنِّي وَلَسْتُ مِنْهُ.

'Whoever rebels against the writ of the Muslim state [and challenges its authority] and separates himself from the community [jamā'a] and then dies, he dies the death of one in a state of jāhilīya [pre-Islamic time of ignorance]. And whoever fights under a blind banner, becomes angry for the sake of ignorant bigotry, calls to ignorant bigotry and gives support to blind bigotry and is then killed, his death is one of jāhilīyya. And whoever secedes from my nation [and rebels against the state, raising legions and troops], killing its righteous and sinful members and feels no compunction [in killing] its believers and does not fulfil the oath of the one from whom an oath is taken, then he is not from me and I am not from him'.2

¹ Qur'ān 2:191.

² Narrated by Muslim in al-Sahīh: Kitāb al-imāra [The Book of Leadership],

In this hadith, the Prophet declared that the blind pursuit of war and fighting is lethal against the community cohesion. If someone fights against the main body of the Muslim *Umma*, or attempts to foment hostilities on the basis of extremism, the Prophet has not only declared his death one in a state of gross ignorance, but he has also expelled him from the *Umma*.

The Prophet 🐞 also said,

'Whoever withdraws his obedience [to the rightful ruler] shall meet God on the Day of Resurrection bereft of any argument; and whoever dies the death of a rebel against the Muslim state dies the death of pre-Islamic ignorance [jāhiliyya]'.

The odiousness of unjust rebellion can be gauged from a unique hadith report found in Imam al-Bayhaqī's Shu'ab al-Imān, from our master 'Abd Allāh b. 'Abbās & who said,

'If one mountain rebelled against another mountain, God would have surely pulverised the rebellious one'.2

Speaking about the punishment that should be meted out to rebel groups, Imam al-Kāsānī wrote in Badā'i' al-ṣanā'i':

chapter: 'The Obligation to Stick to the Main Body of the Muslims in the Time of Trials', 3:1476, 1477 \$1848; al-Nasā'ī in al-Sunan: Kitāb taḥrīm al-dam [The Book on the Prohibition of Bloodshed], 7:123 \$4114; and Aḥmad b. Ḥanbal in al-Musnad, 2:296 \$488.

¹ Narrated by Muslim in al-Ṣaḥīḥ: Kitāb al-imāra [The Book of Leadership], chapter: 'The Obligation to Stick to the Main Body of the Muslims in the Time of Trials', 3:1478 §1851; and al-Bayhaqī in al-Sunan al-kubrā, 8:156.

² Narrated by al-Bayhaqī in Shu'ab al-Īmān, 5:291 §6693; and cited by al-Dhahabī in al-Kabā'ır, 1:603; and al-Suyūṭī in al-Durr al-manthūr, 4:353.

وَيَحْسَهُمْ حَتَّى يَفْلَعُوا عَنْ ذَلِكَ وَيُحْدِلُوا ثَوْبَهُ. لِأَنَّهُ لَوْ تَرَكَّهُمْ لَسَعُوا فِي الأَرْض بِالْفَسَّادِ فَيَأْخُذُهُمْ عَلَى أَيْدِيْهِمْ. وَلا يَبْدَؤُهُمُ الْإِمَامُ بِالْقِتَالِ حَتَّى يَبْدَؤُوهُ لأَنَّ فِتَالَهُمْ لِدَفْع شَرِّهِمْ لَا لِشَرِّ شِرْكِهِمْ. لِأَنْهُمْ مُسْلِمُونَ فَمَا لَمْ يَعَوَجُهِ الشَّرُ مِنهُمْ لَا يُقَاتِلُهُمْ. وَإِنْ لَمْ يَعْلَم الْإِمَامُ بِذَلِكَ حَتَّى تَعَسَّكُّرُوا وَتَأَهَّبُوا لِلْقِتَالِ، فَيَنْبَعِي لَهُ أَنْ يَدْعُوهُمْ إِلَى الْعَدْلِ وَالرَّجُوعِ إِلَى رَأْي الْجَمَاعَةِ أَوَّلًا لِرَجَاءِ الْإِجَابَةِ وَقَبُولِ الدَّعْوَةِ كَمَا فِي حَقٌّ أَهْلِ الْحَرْبِ. وَكَذَا رُويَ أَنَّ سَيِّدَنَا عَلِيًّا فِي لَمَّا حَرَجَ عَلَيْهِ أَهْلُ حَرُوزَاءَ نَدَبَ إِلَيْهِمْ عَبْدَ اللَّهِ بْنَ عَبَّاسِ عِلِيٌّ لِيَدْعُوَهُمْ إِلَى الْعَدْلِ. فَدَعَاهُمْ وَنَاظَرُهُمْ فَإِنْ أَجَابُوا كُفّ عَنْهُمْ وَإِنْ أَبِوًا قَاتِلُهُمْ لِقَوْلِهِ تَعَالَى: ﴿ وَإِنْ بَغَتْ إِخْدُهُمَا عَلَى ٱلْأَخْرَىٰ فَقَتِلُواْ ٱلَّتِي تَبْعِي حَتَّىٰ تَغِيْءَ إِلَىٰ أَمْرِ ٱللَّهِ ﴾ وَكَذَا قَاتَلَ سَيَّدُنَا عَلِيٌّ عِلِين أَهْلَ حَرُوزاءَ بالنَّهْزَوَانِ بحضرة الصحابة على.

If the government learns that the Kharijites [terrorists] are wielding weapons and preparing for battle, it must seize them and detain them until they desist and repent. If the government were to leave them, they would most certainly spread more terrorism on the earth. Hence it should apprehend them but not fight them until they initiate hostilities, because fighting them is for the sake of repelling their evil, not the evil of their polytheism [as it is for the pagans], for they are Muslims; and so long as their evil is not directed to others they are not to be fought. Therefore the government should first invite them to observe justice and return to the view of the greater community [jamā'a], in hopes that they will respond and accept the invitation—as is the practice with the people with whom there are hostilities [ahl al-harb]. On this note, it is reported that when the Harūriyya rebelled against our master 'Alī &, he sent 'Abd Allāh b. 'Abbās & to invite them to justice. He attempted to persuade them and debated them. Those amongst them who responded positively were left alone and those amongst them who refused were fought, as per the words of the Most High, 'So if one group rebels against the other then fight, all of you together, against the rebellious one until it returns to the command of God'. And similarly, 'Alī &, along with the Companions, fought against the Ḥarūriyya at Nahrawan.'

Those who see some inkling of Jihad within the current antistate activities of terrorists should know with certainty that taking the lives of peaceful Muslims is no Jihad at all. Rather, such acts malign the exalted concept of Jihad. It is a part of faith to consider rebellion both unlawful and anti-social.

9.4 THE THREAT OF HELL AWAITS THOSE WHO FOMENT REBELLION

No Muslim is allowed to rebel against the Muslim polity. Muslims are commanded to stay away from those groups of rebels and terrorists who provoke sedition and militancy against the collective order of a Muslim state. Imam al-Bukhārī and Muslim narrated from Ḥudhayfa b. al-Yamān & who said,

كَانَ النَّاسُ يَسْأَلُونَ رَسُولَ اللهِ فَيْقِ عَنِ الْخَيْرِ، وَكُنْتُ آسَأَلُهُ عَنِ الشّرِ مَخَافَةً أَنْ يَدُرُكُنِي. فَقُلْتُ: يَا رَسُولَ اللهِ، إِنَّاكُنَا فِي جَاهِلِيَّةٍ وَشَرِّ فَجَاءَا اللهُ بِهَذَا الْخَيْرِ شَرِّع قَالَ: نَعَمْ، فَقُلْتُ: هَلْ بَعْدَ ذَالِكَ الشَّرِ مِنْ خَيْرٍ؟ قَالَ: نَعَمْ، وَفِيْهِ دَخَلِّ. قُلْتُ وَمَا دَحُنُهُ؟ قَالَ: فَعْمْ يَسْتَنُونَ بِعَيْرِ سُنْتِي وَيَهْدُونَ بِعَيْرِ هَلْنِي مَنْ مَعْهُ وَالْفَيْرِ مِنْ شَرِّ؟ قَالَ: نَعَمْ، دُعَاةً عَلَى تَعْمِفُ مِنْ جَلَدُتِنَا وَيَتَكُلُمُونَ بِالْسِنَتِيَا. فَقُلْتُ: يَا رَسُولَ اللهِ، صَفْهُمْ لَنَا. قَالَ: فَعَمْ فَوْمْ مِنْ جَلَدَتِنَا وَيَتَكَلُمُونَ بِالْسِنَتِيَا. قُلْتُ: يَا رَسُولَ اللهِ، فَمَا تَرَى إِنْ أَوْرَكِنِي لَمَامَ مَنَا جَابِهُمْ إِلَيْهَا قَلَقُوهُ فِيْهَا. فَقُلْتُ: يَا رَسُولَ اللهِ، فَمَا تَرَى إِنْ أَوْرَكِنِي لَمَامِيْنَ وَإِمَامَهُمْ. فَقُلْتُ: يَا رَسُولَ اللهِ، فَمَا تَرَى إِنْ أَوْرَكِنِي إِنْ أَوْرَكِنِي الْمَامِيْنَ وَإِمَامَهُمْ. فَقُلْتُ: يَا رَسُولَ اللهِ، فَمَا تَرَى إِنْ أَوْرَكِنِي إِنْ أَوْرَكِنِي إِنْ أَوْرَكُنِي إِنْ أَوْرَكِي إِللهِ اللهِ اللهِ عَمَامَةً وَلَا أَنْ تَعَنْ عَلَى أَمْ لِي شَجَرَةٍ حَلَى يُلْدِكِكَ الْمُونَ وَإِنْ أَنْ تَعَنْ عَلَى أَمْ لِي شَجَرَةٍ حَلَى يُلْدِكُكَ الْمُعْرِقُ وَأَنْ تَعَنْ عَلَى أَمْ لِي شَجَرَةٍ حَلَى يُنْدِكُكَ

¹ Qur'ān 29:9.

² Al-Kāsānī, Badā'i al-sanā'i, 7:120.

'The people used to ask the Messenger of God ab about the good, but I would ask him about evil for fear that it would overtake me. I said, "O Messenger of God! We were in a state of extreme ignorance and evil and then God brought us this good. Tell me, will there be any evil after this good?" He & said, "Yes". I then asked, "And will there be any good after that evil?" He & said, "Yes, but it will be mixed". I asked, "So what is this mixture?" He & replied, "There will come a people who will follow a way other than my Sunna and a path different from my guidance. You will see some things from them that you will approve of, and other things that you detest". I asked him, "Will there be any evil after that good?" He a replied, "Yes. There will be people who invite to the gates of Hell; whoever responds to their invitation shall be cast by them into it". I asked, "O Messenger of God! Describe them for us". He & said, "Of course. They are a folk from our race and who speak our language li.e., the language of the Muslimsl". I said, "O Messenger of God! What do you think I should do if that time comes upon me?" He streplied, "Stick to the general body of the Muslims [jamā'a] and their ruler". I asked, "But what if there is neither a general body nor a righteous ruler?" He replied, "Then steer clear of all those groups completely, even if you must bite firmly onto a tree trunk until death overtakes vou".'1

This hadith mentions several important points related to the subject under discussion. It mentions that in the final days there will appear dissention and tribulation in the Muslim *Umma*, and that those who instigate rebellion will lead others to Hell instead of Paradise. Their language, colour, appearance and demeanour will

¹ Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kstāb al-manāqib [The Book of Exemplary Virtues], chapter: 'The Signs of Prophethood in Islam', 3:1319 \$3411; and Muslim in al-Ṣaḥīḥ: Kstāb al-imāra [The Book of Leadership], Chapter: 'The Obligation to Stick to the Main Body of the Muslims in the Time of Tribulation, 3:1475 \$1847.

outwardly be that of the Prophet has but they will show hostility to the majority of mainstream Muslims. Furthermore, they will rise in revolt against the Muslim governments or invite others to revolt. We also learn from this hadith that avoiding these evil people and associating with the main body of Muslims will guarantee that our faith is protected. And finally, we see that the way of terrorism and armed rebellion against the Muslim government contravenes the law of Islam and that those who respond to this call will go to Hell.

Commenting on this hadith, Qāḍī 'Iyāḍ said,

'All the hadith reports of [Ṣahīh] Muslim placed in this chapter are proofs that it is forbidden to rebel against unjust rulers and disobey them'. ^I

This means that all legal, constitutional, democratic and peaceful means can be used against injustice, excess and state oppression, and the methods which have been strictly prohibited are those of terrorism, rebellion and armed struggle.

It is important to understand that there is a vast distinction between enjoining the good and forbidding the evil [al-amr bi alma'rūf wa al-nahī 'an al-munkar] and armed struggle. The Shariah has clearly spelled out rules and regulations for both. It is reported by Abū al-Bukhtarī that it was said to Ḥudhayfa b. al-Yamān &,

'Should we not enjoin good and forbid evil?' He said, 'That is good; however, it is not from the Sunna to take up arms against your government [i.e., it is terrorism and rebellion and no way "bidding good and forbidding evil]".'2

¹ Qāḍī ʿIyāḍ, Ikmāl al-muʿlım bı fawāʾıd Muslım, 6:256–257.

² Narrated by Ibn Abī Shayba in al-Muşannaf, 7:508 §37613; and al-Bayhaqī

The method of enjoining good and forbidding evil must be peaceful, and not even an iota of violence is permissible in its enforcement.

9.5 THE UNLAWFULNESS OF USING SLOGANS TO INCITE HATRED AND VIOLENCE

The jurists have declared it a duty of the government to eliminate miscreants and terrorists who kill peaceful people and raise bigoted slogans. Ibn 'Alā' al-Andarītī writes in al-Fatāwā al-tātārkhānīyya:

إِذَا أَظْهَرُتْ جَمَاعَةً مِنْ أَهْلِ الْقِبْلَةِ زَلْيًا وَدَعَتْ إِلَيْهِ، وَقَاتِلَتْ عَلَيْهِ وَمَارَتْ لَهُمْ مَنَعَةً وَقَرُعَةً وَقُولًا. وَمَارَتْ لَهُمْ مَنَعَةً وَقَرُعًةً وَقُولًا. فَإِنْ كَانَ ذَلِكَ لِطُلْمِ السُّلْطَانِ فِي حَقِّهِمْ، فَيَنْبِهِي أَنْ لاَ يَطْلِمَهُمْ. فَإِنْ كَانَ الطَّائِفَةُ السُّلْطَانَ. فَلَا يَنْبَهِي لِلنَّاسِ أَنْ يُونُوهُمْ وَلا أَنْ يُعِنُوا السُّلْطَانَ وَإِنْ لَمْ يَكُنْ لِأَجْلِ أَنْهُ طَلْمَهُمْ وَلَكِنَّهُمْ قَالُوا: "الْحَقُّ مَعَنَا" وَادْعُوا الْوَلَايَةِ: فَلِلسُّلْطَانِ أَنْ يُقَالِمُهُمْ وَلِلنَّاسِ أَنْ يُعِنْوهُ.

Supposing that a group from the people of the qıbla [1.e., Muslims] appear, raising a banner [i.e., slogan] and calling to it and killing for its sake, and supposing they gain strength, force and power—if that is due to the ruler's oppression of them, he should not oppress them; and if he ceases to desist from oppressing them and that group continues to fight against the ruler, then the people should neither assist them nor the ruler. And if that group's fighting is not due to the ruler's oppression of them, and rather they say, 'The truth is with us', and they claim independent authority, then the ruler must fight them to establish the writ of the government and the people must assist him."

9.6 KILLING DUE TO SECTARIAN DIFFERENCES IS BLAMEWORTHY Whatever misguided interpretations terrorists put forth, their major

ın Shu'ab al-İmān, 6:62-63.

¹ Ibn al-'Alā' al-Andarītī, *al-Fatāwā al-tātārkhānryya*, 4:172.

claim is that they alone are the representatives of truth. To present it legally and religiously, they also raise the slogan, 'the truth is on our side'. The extremists of today believe that their view alone represents true Islam and true faith according to the Our'an and Sunna. In their minds the rest of the Muslims, who do not approve of their ideas, and all Muslim rulers and governments not governing completely in accordance with Islamic law and who are, in reality, a mixture of good and evil, are disbelievers and polytheists, or at least misguided. These extremists regard democratic institutions and elections as an embodiment of disbelief and believe that it is jihad to fight against them. Due to this ideology, they declare that it is lawful to kill government officials and the masses of people who participate in voting. They also believe that theft and robbery are lawful because, in their minds, they are engaged in a jihad against disbelief and disbelievers. Thus, in their minds, everything they do to achieve their objectives is fair, including suicide bombing, mass killing and wanton acts of violence. The fact remains that all they say and do is misguidance, terrorism and revolt. On that note, the Prophet & said,

إِنَّمَا أَتَحَوْفُ عَلَيْكُمْ رَجُلُ قَرَأَ الْقُرْآنَ حَتَّى إِذَا رُئِيتْ عَلَيْهِ بَهْجَتُهُ. وَكَانَ رِذَا لِلْإِسْلَامِ عَيْرَهُ إِلَى مَا شَاءَ اللهُ، فَانْسَلَحَ مِنْهُ وَنَبَلَهُ وَزَاءَ ظَهْرِهِ. وَسَعَى عَلَى جَارِهِ بِالسَّيْفِ وَرَمَاهُ بِالسَّرِّكِ. وَسَعَى عَلَى جَارِهِ بِالسَّيْفِ وَرَمَاهُ بِالسَّرِكِ. وَلَمَ مَلَى جَالِهُ اللهِ اللهِ وَرَمَاهُ بِالسَّرِكِ. اَلْمَرْمِيُّ أَمِ الرَّامِي. قَالَ: بَلَ الرَّامِي. قَالَ: بَلَ الرَّامِي.

'The only thing I fear for you is a man who recites the Qur'an until you see its beauty upon him, and who supports Islam until God willed, until he abandons it and casts it behind his back and attacks his neighbour [a Muslim] with a sword and accuses him of polytheism [shirk]'. [The narrator of this hadith said,] 'O Messenger of God! Which of the two is closer to polytheism, the accuser or the accused?' The Messenger of God **
responded, 'Of course, it is the accuser'.'

¹ Narrated by Ibn Hibbān in al-Şahīh, 1:282 §81; and al-Bazzār in al-Musnad, 7:220 §2793.

The worst manifestation of sectarianism that the Muslim Umma faces, and over which Muslims across the world, remain worried and divided, is the escalating tendency of accusing others of polytheism. The majority of the Muslims in Europe, the US, the Middle East and the Indian Subcontinent are weathering the storm of allegations from a particular brand of extremists who regard everyone as disbelievers except themselves. In their warped view, the Sufis and saints who rendered excellent service to the faith and spread it during the 1400-year history of Islam did nothing but foster polytheism. They think that they alone have been rightly guided and that the elders and saints of the past generations were ignoramuses, polytheists and innovators.

In truth, many non-Muslims around the world have developed strong hatred towards Islam due to their extremist activities, while the Muslims have come to blows, tearing apart the unity of the *Umma*. The aforementioned hadith is a clear illustration of their misplaced arrogance and false assumptions.



CHAPTER 10

THE LEGAL STATUS OF FIGHTING AGAINST A CORRUPT GOVERNMENT



10.1 THE UNLAWFULNESS OF REBELLING AGAINST A GOVERNMENT THAT IS NOT EXPLICITLY IDOLATROUS

The Shariah has made it crystal clear that armed struggle against a Muslim government is impermissible, even if the government is sinful and corrupt, unless it makes an open declaration of disbelief, or there is a complete and absolute consensus in the *Umma* that the rulers have become disbelievers, or the rulers declare lawful that which is forbidden or vice versa, or they stop the believers from offering their prayers. This has been called *kufr bawāh* [manifest disbelief] and is proven from the following agreed upon hadith of al-Bukhārī and Muslim. Junāda b. Abī Umayya said,

دَخُلْنَا عَلَى عُبَادَةً بْنِ الصَّامِتِ وَهُوَ مَرِيْضٌ، قُلْنَا: أَصَلَحَكَ اللهُ، حَدَّثْ بِحَدِيثِ يَنَقَمُكَ اللهُ بِهِ سَمِعْتَهُ مِنَ النَّبِيِّ فَلَمَّا: دَعَانَا النَّبِيُ فَلَيْ فَيَايَعْنَاهُ. فَقَالَ: فِيْمَا أَخُلَ عَلَيْنَا أَنْ بَايَعَنَا عَلَى السَّمْعِ وَالطَّاعَةِ، فِي مَنْشَطِنَا وَمَكْرَهِنَا، وَعُسْرِنَا وَيُسْرِنَا، وَأَنْ لَا تُنَازِعَ الْأَمْرَ أَهْلَهُ إِلَّا أَنْ تَرَوْا كُفْرًا بَوَاحًا عِنْدُكُمْ مِنَ اللهِ فِيْهِ وَآتُهُ عَلَيْنَا، وَأَنْ لَا تُنَازِعَ الْأَمْرَ أَهْلَهُ إِلَّا أَنْ تَرَوْا كُفْرًا بَوَاحًا عِنْدُكُمْ مِنَ اللهِ فِيْهِ فَهُمْ اللهِ فَيْهِ مِنْ اللهِ فَيْهِ فَيْهِ مَنْ اللهِ فَيْهِ فَيْهِ فَيْهِ فَيْهُ وَاللَّهُ فَيْهُ فَيْهُ فَيْهُ فَيْهُ اللَّهُ فَيْهِ فَيْهُ فَيْهُ اللَّهُ فَيْهُ فَيْهُ اللَّهُ فَيْهُ فَيْهُ فَيْهُ فَيْهُ اللَّهُ فَيْهُ فَيْهُ اللَّهُ فَيْهُ اللَّهُ فَيْهُ اللَّهُ فَيْهُ اللَّهُ فَيْهُ فَيْهُ اللَّهُ فَيْهُ اللَّهُ فَيْهُ اللَّهُ فَيْهُ إِلَّا أَنْ تَرَوْا كُفُوا اللَّهُ فَيْهُ اللَّهُ فَيْهُ اللَّهُ فَيْهُ اللَّهُ فَيْهُ أَنْ اللَّهُ فَيْهُ إِلَّا أَنْ تَرُوا كُفُوا اللَّهُ اللَّهُ فَيْهُ إِلَّا أَنْ اللَّهُ فَيْهُ إِلَّهُ اللَّهُ فَيْهُ إِلَّهُ اللَّهُ فِيلًا أَنْ اللَّهُ فَيْهُ إِلَّا اللَّهُ فَيْهُ إِلَّا لَهُ اللَّهُ فَيْهُ إِلَّا أَنْ اللَّهُ فَيْهُ إِلَّهُ اللَّهُ فَيْهُ إِلَّا أَنْ لَا لَهُ لِللَّهُ فَيْهُ إِلَّا أَنْ لَا لَهُ فَاللَّهُ إِلَّا أَلْهُ لَا لَهُ لَا لَاللَّهُ لَا لَهُ لَا لَهُ لَا لَا لَا لَهُ لَهُ فَلَهُ إِلَّهُ فَيْهُ إِلَّا لَهُ لَا لَهُ لَا لَنْ لَعْلَالًا لَهُ لَلْهُ لَلْهُ لَا لَا لَهُ لَهُ لَا لَهُ لَا لَهُ لَا لَالَهُ لَلْهُ فَلَالَالَالَةً لَا لَاللَّهُ لَلْهُ لَلْهُ لَا لَاللَّهُ لَاللَّهُ لَلْهُ لَلْهُ لَلْهُ لَلْهُ لَاللَّهُ لَلْهُ لَاللَّهُ لِلللَّهُ لَاللَّهُ لِللَّهُ لَا لَاللّٰهُ لَلْهُ لَاللّهُ لَاللَّهُ لَا لَاللّٰهُ لَلْهُ لَاللّٰهُ لَاللّٰهُ لَاللّٰذَالِمُ لَاللّٰهُ لَاللّٰهُ لَلْهُ لَلْهُ لَاللّٰذِ لَا لَاللّٰهُ لَا لَاللّٰذِي لَاللّٰذِي لَاللّٰهُ لَا لَاللّٰهُ لَلْهُ لَاللّٰذِي لَاللّٰذِالْمُ لَاللّٰذِالْعُلْمُ لَاللّٰذِي لَاللّٰهُ لَالِهُ لَاللّٰذِلْمُ لَاللّٰذِلْكُولُولُولَاللّٰذِلْمُ لَلْلِلْلَالِلْ

'We went to see 'Ubāda b. al-Ṣāmit when he was sick and we said to him, "May God improve your condition! Narrate to us a hadith that God benefitted you with and you heard of from the Prophet .". He said, "The Prophet called us forward and we pledged fealty to him. In our pledge of fealty, he made us commit to hearing and obeying both when energetic and tired, and in difficulty and ease, and that we [as he said] 'do not come into conflict with the leaders that are over you unless you witness manifest disbelief for which you have proof with God'."

¹ Narrated by al-Bukhārī in al-Şahīh: Kıtāb al-fitan [The Book of Tribulations], chapter: 'The Saying of the Prophet ▲ "After My Departure, You Will Observe

The hadith commentators have explained the phrase 'manifest disbelief' and stated that it must be so explicit that it leaves no room for an alternative interpretation [ta'wīl].

Ibn Ḥajar al-'Asqalānī said,

'And in a variant of this report with al-Țabarānī from the narration of Ahmad b. Şāliḥ from Ibn Wahb, the phrase, "explicit disbelief", [kufr şarāh] occurs'."

Commenting on the phrase, 'for which you have proof with God', Ibn Ḥajar stated,

'The import of this is that it is impermissible to rebel against them [the rulers] so long as their actions have room for an alternative interpretation'.²

This means that revolt against the government would be legally permissible according to the Shariah when there is complete and absolute consensus on the disbelief of the government and no scope for any alternative interpretation for their actions. Ibn Hajar explained further,

'Ibn Battal said, "This hadith contains a proof that the government should not be rebelled against, even if it is oppressive".'3

Things that You Will Dislike", 6:2588 §6647; and Muslim in al-Ṣaḥīḥ: Kitāb al-imāra [The Book of Leadership], chapter: "The Obligation to Obey the Rulers in that which Does not Entail Disobedience, and the Prohibition of Disobeying Their Orders', 3:1470 §1709.

¹ Ibn Ḥajar al-'Asqalānī, Fath al-Bārī, 13:8.

² Ibid., 13:11.

³ Ibid., 13:7.

So despite a government being unjust and unfair, armed rebellion against it is strictly prohibited; however, peaceful, constitutional, democratic and legal means can be used to effect a change.

Imam Badr al-Dīn al-'Aynī commented on the word 'proof' used in the hadith and stated,

'His statement , "proof", means a definitive text [nass] from a Qur'anic verse or a rigorously authentic report that does not carry the possibility of an alternative interpretation'.

Imam al-Qasţalānī maintained the same view in his commentary, Irshād al-sārī.²

Shabbīr Aḥmad 'Uthmānī described the same view in Fath al-Mulhim under the heading 'The issue of Rebelling against the Unjust Rulers'. He says,

'The majority of scholars infer from this hadith that it is impermissible to rebel against the unjust or corrupt ruler, unless he manifests explicit disbelief'.³

10.2 RAISING ARMS AGAINST MUSLIMS IS AN ACT OF DISBELIEF

The Prophet stated that those who take up arms against the Muslims do not belong to the Muslim *Umma*. It is narrated by 'Abd Allāh b. 'Umar state that the Prophet said,

'He who raises arms against us is not from us'.4

¹ Badr al-Dīn al-'Aynī, 'Umdat al-qārī, 16:33.

² Ahmad al-Qastalānī, Irshād al-sārī, 15:9.

³ Shabbīr Aḥmad 'Uthmānī, Fath al-Mulhim, 3:184.

⁴ Narrated by al-Bukhārī in al-Şaḥīḥ: Kitāb al-fitan [The Book of Tribulations],

Islam not only prohibits the taking up of arms, initiation of armed struggle and revolt against the Muslims in an Islamic government, but also brands these actions as disbelief. Islam declares these actions as sedition and corruption on the earth. No good can come from them and they will always lead to civil strife and disorder. Therefore, contrary to resorting to terrorism and rebellion, one should always use peaceful means to struggle against oppression and injustice. If one has insight and understands this point, one will realize that there is no contradiction between the command to enjoin the good and forbid the evil, and the prohibition of armed revolt against the rulers.

10.3 THE LEGAL AND CONSTITUTIONAL WAY OF CHANGING A CORRUPT GOVERNMENT

Even if the rulers of an Islamic government are corrupt and unjust, armed rebellion against them is not allowed. However, the prohibition of armed struggle against an oppressive and corrupt government does not mean that the government has a license to continue with its injustice, corruption and atrocious policies. Islam has not only permitted but also commanded the Muslims to raise every possible voice against the unjust, nefarious and illegal deeds of the government, and to condemn and pressure it to mend its ways and reform. Islam has also recommended that the government be replaced if it refuses to listen to sound counsel and rejects reform. However, such replacement and transition should be a smooth, peaceful and just process void of any violence, bloodshed

chapter: 'The Saying of the Prophet , "He Who Raises Arms against Us is not from Us",' 6:2591 §6659; Muslim in al-Ṣahīḥ: Kitāb al-Īmān [The Book of Faith], chapter: 'The Saying of the Prophet , "He Who Raises Arms against Us is not from Us",' 1:98 §98; Ahmad b. Hanbal in al-Musnad, 2:3 §4467; al-Tirmidhī in al-Sunan: Kitāb al-ḥudūd [The Book of Prescribed Punishments], chapter: 'What Has Come to Us Regarding One Who Brandishes a Weapon', 4:59 §1459; al-Nasā'ī in al-Sunan: Kitāb taḥrīm al-dam [The Book on Prohibition of Bloodshed], chapter: 'Concerning the One Who Brandishes His Sword and then Thrusts it amongst People', 7:117 §4100; and Ibn Mājah in al-Sunan: Kitāb al-hudūd [The Book of Prescribed Punishments], chapter: 'Concerning the One who Brandishes His Sword', 2:860 §2575.

or killing. This is the correct meaning of jihad against corrupt rulers. Therefore, killing people on the pretext of preventing evil and promoting truth and justice cannot be declared permissible.

The Prophet & said,

'Indeed, the best jihad is a just word in the presence of an unjust ruler'. ¹

Speaking out against the oppression of the rulers falls under our duty. It is part of enjoining the good and forbidding the evil. It is not disallowed; on the contrary, those who abstain from it are regarded as wrongdoers. The difference is that Islam has ordered us to use constitutional, legal and democratic means to effect a change, and commanded that the entire struggle be peaceful. This hadith does not permit killing, armed rebellion and terrorism. Seizing some parts of the land and imposing one's view on others, shedding blood and committing acts of terrorism are all absolutely forbidden and are tantamount to disbelief. Wanton murder and mischief-mongering create chaos, disorder and anarchy in the *Umma*, and as a result, foreign powers get a chance to interfere in the internal affairs of the Muslim states. That is why the Shariah has ruled that rebellion should be put down firmly.

Umm Salama, the Mother of the Believers &, reported:

Narrated by Ahmad b. Hanbal in al-Musnad, 3:19 \$11159; al-Tirmidht in al-Sunan: Kitāb al-fitan [The Book of Tribulations], chapter: 'What Has Come to Us Concerning the Fact That the Best Jihad is a Just Word in the Presence of an Unjust Ruler', 4:471 \$2174; Abū Dāwūd in al-Sunan: Kitāb al-malāhim [The Book of Tumultuous Battles], chapter: 'Enjoining the Good and Forbidding the Evil', 4:124 \$4324; al-Nasā'ī in al-Sunan: Kitāb al-bay'a [The Book on the Pledge of Fealty], chapter: 'Concerning the One Who Utters a True Word in front of an Unjust Ruler', 7:161 \$1209; and Ibn Mājah in al-Sunan: Kitāb al-fitan [The Book of Tribulations], chapter: 'Enjoining the Good and Forbidding the Evil', 2:1329 \$4011.

The Prophet said, 'Indeed, rulers will be appointed over you, and you find some things with them agreeable and other things disagreeable. So, whoever detests their bad deeds will be absolved of blame and whoever censures their bad deeds will find safety; but whoever is pleased with their bad deeds and follows them [will not find safety or be absolved of blame]'. The Companions said, 'O Messenger of God! Should we not fight them?' He replied, 'Do not fight them as long as they observe the prayer [i.e., are Muslims. "Hating and disapproving" refer to disliking from the heart]'. I

Interpreting this hadith, Qādī 'Iyād writes in Ikmāl al-mu'lim bi fawā'id Muslim:

قَوْلُهُ: أَفَلَا ثُقَاتِلُهُمْ؟ قَالَ: لَا، مَا صَلُّوا عَلَى مَا تَقَدَّمَ مِنْ مَنْعِ الْحُرُوجِ عَلَى الْأَلِيَّةِ، وَالْهَبَامِ عَلَيْهِمْ الْحُوْلِ الْمُؤْلِقِ الْمُفَارَةُ وَالْهَبَامِ عَلَيْهِمْ وَالْحُفْرَا الْمُؤْلِقِ الْمُفَارَةُ وَالْمَقَارَةُ وَالْمَقَارَةُ وَلَمْ يَرْتَدُوا وَلِمَدَّلُوا اللهِمْنَا: مَا صَلُوا، أَيْ مَا كَانَ لَهُمْ حُكُمْ أَهْلِ الْقِبْلَةِ وَالصَّلَاةِ، وَلَمْ يَرْتَدُوا وَلِمَدَّلُوا اللهِمْنَا وَ وَلَمْ يَرْتَدُوا اللهِمْ وَخُدُمُ وَكِتَابِ اللهِ، أَيْ اللهُمْنَ وَيَدْعُوا إِلَى غَيْرِهِ. وَالْإِضَارَةُ أَيْضًا بِقَوْلِهِ: عَبْدًا حَبَيْبًا يَقُودُكُمْ وَكِتَابِ اللهِ، أَيْ اللهُمْ وَخُكُمْ كِتَابِ اللهِ وَإِنْ جَارَ.

The part, 'Should we not fight them?' He he replied, 'Do not fight them as long as they observe the prayer', further establishes what was mentioned before, in that it is prohibited to rebel against the rulers and revolt against them so long as they continue to hold to the phrase of Islam ['There is no god but God'] and do not manifest evident disbelief. This is indicated here in the phrase, 'Do not fight them as long as they observe the prayer'. In other words, they are not to be fought so long as they continue to receive the rulings of the people of the qibla [Muslims] and prayer and do not apostate and alter the religion and call to another one besides it. This point

¹ Narrated by Muslim in al-Şahīh: Kitāb al-imāra [The Book of Leadership], 3:1481 §1854; and Abū 'Awāna in al-Musnad, 4:417-418 §7162.

is further indicated in his statement, 'Even if he is an Abyssinian slave who leads you with the Book of God': meaning Islam and the rulings of God's Book, even if he is oppressive [you are not allowed to rebel agains him].

He further explained:

قَوْلُهُ فِيْهِ: وَلَكِنْ مَنْ رَضِيَ وَتَابَعَ مَغْمَاهُ: وَلَكِنَّ الْإِثْمَ وَالْفَقْوبَةُ عَلَى مَنْ رَضِيَ وَتَابَعَ، وَفِيْ الْإِثْمَ وَالْفَقُوبَةُ عَلَى مَنْ رَضِيَ وَتَابَعَ، وَفِيْهُ وَلِيْلِ عَلَى إِلَّهُ الْمُنْكُو، لَا يَأْتُمُ بِمُحِرِّدِ السُّكُوتِ، بَلْ إِلَّهَا يَأْتُمُ بِالرَّصَى بِهِ، أَوْ بِأَنْ لَا يَكْرَهُهُ بِقَلْبِهِ، أَوْ بِالْمُتَابِعَةِ عَلَيْهِ. وَأَمّا قَوْلُهُ: أَفَلَا نُقَاتِلُهُمْ؟ قَالَ: لا مَا مَنْلُوا فَفِيْهِ مَثْنَى مَا سَبَقَ، أَنَّهُ لاَ يَجُوزُ الْخُرُوجُ عَلَى الْخُلَفَاءِ بِمُجَرُّدِ الطَّلْمِ أَوْ الْفُرْوجُ عَلَى الْخُلَفَاءِ بِمُجَرِّدِ الطَّلْمِ أَوْ الْفُورُةِ عَلَى الْخُلَفَاءِ بِمُجَرِّدِ الطَّلْمِ أَوْ الْفُسْدَقِ مَا لَمْ يُقَرِّوا مَنْهَا مِنْ فَوَاعِدِ الْإِسْلَامِ.

His statement , 'but whoever is pleased with their bad deeds and follows them', means rather sin and punishment will be earned by the one who is pleased and goes along [with them]. This contains a proof that the one who is incapable of removing an evil is not considered sinful by his mere silence; rather, he will only earn sin by being pleased with him [an unjust ruler] or not hating him in his heart, or by following him. As for the part, 'Should we not fight them?' He replied, 'Do not fight them as long as they observe the prayer'. This contains the same meaning as what preceded, that it is prohibited to rebel against the rulers merely on account of oppression or corruption, so long as they do not alter anything from the principles of Islam.²

'Awf b. Mālik هِ reported that the Prophet هُ said: خِنَارُ أَنِمُتِكُمُ الَّذِينَ تُحِنُّونَهُمْ وَيُحِنُّونَكُمْ، وَيُصَلُّونَ عَلَيْكُمْ وَتُصَلُّونَ عَلَيْهِمْ، وَشِرَارُ أَيْمُتِكُمُ الَّذِينَ تُبْهِعِنُونَهُمْ وَيَبْهِعِنُونَكُمْ، وَتَلْعَنُونَهُمْ وَيَنْعَنُونَكُمْ. قِيْلَ: يَا رَسُولَ اللهِ، أَصَادُ لُنَابِلُمُمْ بِالسَّيْفِ؟ فَقَالَ: لا مَا أَقَامُوا فِيْكُمُ الصَّلَاةَ، وَإِذَا رَأَيْتُمْ مِنْ وُلاَيِكُمْ

¹ Qādī 'Iyād, Ikmāl al-mu'lim bi fawā'id Muslim, 6:264-265.

² Ibid., 6:264.

شَيْنًا تَكْرَهُونَهُ فَاكْرَهُوا عَمَلَهُ، وَلَا تَنْزِعُوا يَدًا مِنْ طَاعَةٍ.

'The best of your rulers are those whom you love and who love you, who invoke God's blessings upon you and upon whom you invoke His blessings. And the worst of your rulers are those whom you hate and who hate you, and whom you curse and who curse you'. It was asked, 'O Messenger of God! Should we not overthrow them with the help of the sword [i.e., arms]?' He said, 'No, as long as they establish prayer amongst you. If you then find anything detestable in a ruler, you should hate his action, but do not withdraw from his writ and authority'.'

The scholars of hadith have interpreted this hadith and said that the phrase, 'but do not withdraw from his writ and authority'. means that unless the rulers order you to disbelieve, it is strictly forbidden to rebel against them. The Prophet's saving 'as long as they establish prayer amongst you' describes them as Muslims metaphorically, so the implicit meaning is, 'as long as they are Muslims'. It does not necessarily mean that they offer prayers regularly five times a day and are pious and God-fearing. The reason why it does not mean that they literally establish the five daily prayers is because the same hadith has already declared them the worst of the rulers. It is apparent that since the Muslims would hate them, they would dislike the Muslims and would be called the worst rulers due to their oppression, evil deeds and injustice. We cannot expect them to be staunch Muslims who regularly offer prayers and fast. Had that been so, they would not have been given the perorative 'the worst of rulers'. In spite of this, the Prophet & said that as long as they continue to offer prayers amongst you implying that they are called Muslims, even if in word and not in deed-armed rebellion should not be undertaken against them.

Imam al-Qurtubī has explained these words in al-Mushim li ma ushkila min talkhīş kitāb Muslim, a commentary on Muslim's

¹ Narrated by Muslim in al-Ṣahīḥ: Kttāb al-tmāra [The Book of Leadership], chapter: 'The Best and the Worst of the Leaders', 3:1481 §1855; and Ibn Hibbān in al-Ṣaḥīḥ, 10:449 §4589.

Sahīh. He said, 'Just as he described those who pray as Muslims, as he said, "I have been forbidden from killing those who pray", meaning the Muslims'. Therefore, this legal meaning would'also apply here as well.

Imam al-Tirmidhī narrated this hadith from Umm Salama don his own authority:

قَالَ النَّبِيُ ﷺ: إِنَّهُ سَيَكُونُ عَلَيْكُمْ أَئِمَةٌ تَعْرِفُونَ وَلِنْكِرُونَ، فَمَنْ أَلْكُرَ فَقَدْ بَرِيءَ، وَمَنْ كُرِهَ فَقَدْ سَلِمَ، وَلَكِنْ مَنْ رَضِيَ وَتَابَعَ. فَقِيلَ: يَا رَسُولَ اللهِ، أَفَلَا نُقَاتِلُهُمْ؟ قَالَ: لا مَا صَلُّها.

'The Prophet said, 'Indeed, rulers will be appointed over you, and you find some things with them agreeable and other things disagreeable. So, whoever detests their bad deeds will be absolved of blame and whoever censures their bad deeds will find safety; but whoever is pleased with their bad deeds and follows them [will not find safety or be absolved of blame]'. It was said, 'O Messenger of God! Should we not fight them?' He replied, 'Do not fight them as long as they observe the prayer [i.e., are Muslims]'.2

'Abd al-Rahman Mubarakpūrī wrote regarding this hadith,

أَفَلَا نُقَاتِلُهُمْ؟ قَالَ: لَا أَيْ: لَا تُقَاتِلُوهُمْ مَا صَلُوا. إِنَّمَا مَنَعَ عَنِ مُقَاتِلَتِهِمْ مَا ذَامُوا يُقِينُمُونَ الصَّلَاةَ، الَّتِي هِيَ عُنْوَانُ الْإِسْلامِ حَلِيزًا مِنْ هَيْجِ الْفِيْنِ وَاخْتِلَافِ الْكَلِمَةِ.

'The question "Should we not fight them?" and the Prophet's reply, "Do not fight them as long as they observe the prayer" mean that they were forbidden from fighting them as long as they establish the prayer—the distinguishing mark of Islam—for fear of discord and disunity'.

¹ Al-Qurtubī, al-Mufhim li ma ushkila min talkhīş Kıtāb Muslim, 4:66.

² Narrated by al-Tirmidhī in *al-Sunan*: *Kitāb al-fitan* [The Book of Tribulation], chapter:78, 4:529 §2265.

³ 'Abd al-Raḥmān Mubārakpūrī, Tuhfat al-aḥwadhī, 6:138.

This means that permission has been granted to the Muslims to carry out their democratic and constitutional struggle through peaceful means by demonstrating patience over the injustice of the rulers, so as to avoid mischief, bloodshed and massacre amongst the Muslim *Umma*. Armed rebellion and war were ruled out.

In the Sunan of Abū Dāwūd there is a narration in which Dabba b. Miḥṣan through Umm Salama, the Mother of the Believers &, reported:

قَالَ النَّبِي عَلَيْهِ: سَتَكُونُ عَلَيْكُمْ أَيْمُةٌ تَعْرِفُونَ مِنهُمْ وَتُكْكِرُونَ، فَمَنْ أَنْكَرَ قَالَ أَبُو دَاوُدَ: قَالَ هِشَامٌ: بِلِسَانِهِ فَقَدْ بَرِى، وَمَنْ كُوهِ بِقَلْبِهِ فَقَدْ سَلِمَ، وَلَكِنْ مَنْ رَهِيَ وَتَابَعَ. فَقِيْلَ: يَا رَسُولَ اللهِ، أَفَلَا نَفْتُلُهُمْ؟ قَالَ ابْنُ دَاوُدَ: أَفَلَا نُقْتِلُهُمْ؟ قَالَ: لاه، مَا صَلَّهُا.

'The Prophet said, "Indeed, rulers will be appointed over you, and you find some things with them agreeable and other things disagreeable. So, whoever detests their bad deeds [Abū Dāwūd said, 'Hishām said, "With his tongue"'] will be absolved of blame, and whoever detests their bad deeds with his heart will find safety; but whoever is pleased with their bad deeds and follows them [will not find safety or be absolved of blame]". It was said, "O Messenger of God! Should we not fight them?" He replied, "Do not fight them as long as they observe the prayer [i.e., are Muslims]".'

These hadith reports and their commentaries illustrate two points in particular: firstly, armed revolt is prohibited against the Muslim rulers despite their corruption, deviation, oppression and injustice, and that is because of the fear of disruption, mass killing and bloodshed. There are several peaceful ways to bring these erring governments back to the right path. Secondly, it is impermissible to engage in armed revolt against the rulers unless they commit and demonstrate manifest disbelief. If a group

¹ Narrated by Abū Dāwūd in al-Sunan: Kitāb al-Sunna [The Book of the Sunna], chapter: 'On Fighting the Kharijites', 4:242 \$4760.

THE LEGAL STATUS OF FIGHTING AGAINST A CORRUPT GOVERNMENT | 219

launches an armed struggle in the name of enforcing the Shariah, it becomes necessary, nay mandatory, for the state to crush it with all its might.

	r		
,			

LEGAL VERDICTS AND STATEMENTS FROM THE FOUR IMAMS AND EMINENT AUTHORITIES OF THE UMMA AGAINST TERRORISM AND REBELLION



A FTER HAVING PRODUCED EVIDENCE FROM THE HADITH LITERATURE, we present here the views of the Four Imams of jurisprudence. The objective is to make it clear that the *Umma* has been unanimous on this issue for the last fourteen centuries and that there has been no departure or deviation from the mainstream.

11.1 IMAM ABÛ HANÎFA

Imam Abū Ḥanīfa has said in his book, al-Fiqh al-absat, regarding fighting the terrorists:

فَقَاتِلُ أَهْلَ الْبَغْيِ بِالْبَغْيِ لَا بِالْكُفْدِ. وَكُنْ مَمَ الْفِئَةِ الْعَادِلَةِ. وَلَا تَكُنْ مَعَ أَهْلِ الْبَغْيِ. هَإِنْ كَانَ فِي أَهْلِ الْجَمَاعَةِ فَاسِدُونَ طَالِمُونَ، فَإِنْ فِيْهِمْ أَيْصًا صَالِحِيْنَ يُمِيْنُونَكَ عَلَيْهِمْ، وَإِنْ كَانَتِ الْجَمَاعَةُ بَاغِيَةً فَاعْتَوْلُهُمْ وَاخْرُجُ إِلَى غَيْرِهِمْ. قَالَ اللهُ تَعَالَى: ﴿ آلُمْ تَكُنْ أَرْضُ اللّٰهِ وَاسِعَةً فَتُهَاجِرُواْ فِيهَا ﴾، ﴿ إِنْ أَرْضِى وَاسِعَةً فَإِيلَى فَآهُدُونِ ﴾.

So fight against rebels on account of their rebellion, not because of disbelief. Be with the just and moderate group and do not be with the people of rebellion. If there is to be found oppressors and corrupt individuals amongst the mainstream majority group [jamā'a], then there are also righteous people amongst them who will help you against them. If the jamā'a is itself in a state of rebellion, withdraw yourself from them and go to others. God Most High says, 'Was God's earth not spacious enough for you to migrate therein?' [Qur'ān 4:97] and, 'Indeed, My earth is vast so worship Me alone'. [Qur'ān 29:52]¹

II.2 IMAM AL-TAHAWI

The eminent imam of the Ḥanafī juridical school, Imam Abū Jaʿfar al-Tahāwī said,

¹ Abū Ḥanīfa, al-Fiqh al-absat (cited by Zāhid al-Kawtharī in his Majmūʿat al-'aaīda wa 'ilm al-kalām'), pp. 606-607.

لَا نَرَى السَّيْفَ عَلَى أَحَدِ مِنْ أَمَّةِ مُحَمَّدٍ إِلاَّ مَنْ وَجَبَ عَلَيْهِ السَّيْفُ، وَلَا نَرَى الْمُؤْرَجَ عَلَى أَلِيقِهِمْ، وَلَا تَنْزِعُ يَدًا مِنْ الْمُحُرُوجَ عَلَى أَلِمَّتِنَا وَوَلَاقٍ أَمُورِنَا، وَإِنْ جَارُوا، وَلَا نَدْعُو عَلَيْهِمْ، وَلَا تَنْزِعُ يَدًا مِنْ طَاعَتِهِمْ.

We do not approve [the use of the sword] against any of the *Umma*, except him against whom the sword is deemed necessary. And we do not approve of rebellion against our rulers and those in charge of our affairs, even if they are unjust. We do not supplicate against them or withdraw obedience from them.²

Interpreting this statement of Imam al-Taḥāwī, Ibn Abī al-Izz al Ḥanafī quoted a hadith narrated in Ṣaḥīḥ Muslım from 'Awf b Mālik, in which the Prophet said, 'If you then find anything detestable in a ruler, you should hate his action, but do not disobe; him'. Ibn Abī al-Izz also mentioned the prophetic command, 'do not withdraw obedience to them'. He explained:

فَقَدْ ذَلَّ الْكِتَابُ وَالسُّنَةُ عَلَى وَجُوبِ طَاعَةِ أُولِي الْأَنْرِ مَا لَمْ يَأْمُرُوا بِمَعْصِيَةٍ. فَتَأَمُّلُ قَوْلُهُ تَعَالَى: ﴿يَآأَيُهُا الَّذِينَ ءَامَنُواْ أَطِيعُواْ اللَّهَ وَأَطِيعُواْ الرُّسُولَ وَأُولِى الْأَمْرِ مِنكُمْ﴾ إِنَّ أُولِي الْأَمْرِ لا يُفْرَدُونَ بِالطَّاعَةِ، بَلْ يُطَاعُونَ فِيْمَا هُوَ طَاعَةُ اللهِ وَرَسُولِهِ. وَأَعَادَ الْغِلَمْ وَمَا اللهِ وَرَسُولِهِ. وَأَعَادَ اللهِ وَرَسُولِهِ. وَأَعَادَ اللهِ وَرَسُولِهِ. وَأَعَادَ اللهِ وَرَسُولِهِ. وَأَعَادَ اللهِ وَرَسُولِهِ. وَإِنَّ جَارُوا) فَلِأَنَّهُ يَتَرَبَّبُ عَلَى الْخُرُوحِ عَنْ طَاعَتِهِمْ وَإِنْ جَارُوا) فَلِأَنَّهُ يَتَرَبَّبُ عَلَى الْخُرُوحِ عَنْ طَاعَتِهِمْ مِنْ جَوْرِهِمْ.

مِنَ الْمَقَاسِدِ أَصْعَافُ مَا يَحْصُلُ مِنْ جَوْرِهِمْ.

The Book and the Sunna both prove that it is obligatory to obey those in authority as long as they do not order that which is disobedience. So contemplate the words of the Most High, 'Obey God and obey the Messenger and those of authority amongst you'. See how He said, 'obey the Messenger' and did not say 'and obey those of authority amongst you', because the people of authority are not obeyed for their own sake, but are obeyed in

¹ Al-Țaḥāwī, al-'Aqīda al-ṭaḥāwīyya, §§71, 72.

that which is obedience to God and His Messenger. The command verb is repeated for the Messenger & because he is infallible [ma'sum], and the people of authority are only obeyed in that which is obedience to God and His Messenger. As for obeying them 'even if they are unjust'. it is because the harms associated with rebelling against them far outweigh than what occurs with their injustice.

11.3 IMAM MALIK

Imam Sahnūn recorded in al-Mudawwana:

قَالَ مَالِكُ فِي الْإِبَاضِيَّةِ، وَالْحَرُورِيَّةِ، وَأَهْلِ الْأَهْوَاءِ كُلِّهِمْ: أَرَى أَنْ يُسْتَتَابُوا، فَإِنْ تَابُوا، وَإِلاَّ قُتِلُوا. قَالَ ابْنُ الْقَاسِم: وَقَالَ مَالِكٌ فِي الْحَرُوريَّةِ وَمَا أَشْبَهَهُمْ: إنَّهُمْ يُقْتَلُونَ إِذَا لَمْ يَتُوبُوا إِذَا كَانَ الْإِمَامُ عَذْلًا. فَهَذَا يَدُلُكَ عَلَى أَنْهُمْ إِنْ خَرَجُوا عَلَى إِمَامِ عَدْلِ وَهُمْ يُرِيْدُونَ قِتَالَهُ وَيَدْعُونَ إِلَى مَا هُمْ عَلَيْهِ دُعُوا إِلَى الْجَمَاعَةِ وَالسُّنَّةِ، فَإِنْ أَيِّوا قُتِلُوا. قَالَ: وَلَقَدْ سَأَلْتُ مَالِكًا عَنْ أَهْلِ الْعَصِيَّةِ الَّذِيْرَ كَانُوا بِالشَّامِ، قَالَ مَالِكٌ: أَرَى لِلْإِمَامِ أَنْ يَدْعُوَهُمْ إِلَى الرُّجُوعِ، وَإِلَى مُنَاصَفَةِ الْحَقِّ بَيْنَهُمْ، فَإِنْ رَجَعُوا وَالاً قُوتِلُول

Mālik said regarding the Ibadis, the Harūrivva and the people of vain desires, 'I am of the view that repentance should be sought from all of them. If they repent [well and good), otherwise they should be killed'. Ibn al-Qāsim said, 'And Malık said regarding the Harūriyya and their ilk, "They should be killed if they do not repent [of their destructive activities]-provided it is a Muslim state".' This shows you that if they rebel against a just ruler and desire to kill him, and call to their way of understanding, they should be invited to the community [jamā'a] and the correct belief [Sunna], and if they refuse they should be killed. And I asked Mālik about the biased partisans who were present in the Levant and he said, 'I am of the view that the government should invite them to return

¹ Ibn Abī al-'Izz al-Ḥanafī, Sharh al-'aqīda al-ṭaḥāwıyya, p. 282.

and deal justly between themselves, and if they return [well and good], otherwise they should be fought'. I

II.4 IMAM AL-SHAFI'I

Imam al-Shāfi'ī said about terrorists:

لُوْ أَنَّ قَوْمًا كَانُوا فِي مِصْرٍ أَوْ صَحْرَاءَ فَسَفَكُوا الدِّمَاءَ وَأَحَذُوا الْأَمْوَالَ، كَانَ حُكْمُهُمْ كَحُكُم قُطَّاعِ الطَّرِيقِ، وَسَوَاءٌ كَانَتِ الْمُكَابِرَةُ فِي الْمِصْرِ أَوِ الصَّحْرَاء، وَلَوِ افْتَرَقًا كَانَتِ الْمُكَابِرَةُ فِي الْمِصْرِ أَعْظَمَهُمَا.

فَإِذَا دُعِيَ أَهْلُ الْبَغْيِ فَامْتَنَعُوا مِنَ الْإِجَابَةِ فَقَاتِلُوا. . . . فَإِلْمُنَا أَبِيْحَ قِتَالُ أَهْلِ الْبَغْيِ مَا كَانُوا يُقَاتِلُونَ، وَهُمْ لَا يَكُونُونَ مُقَاتِلِينَ أَبَدًا إِلَّا مُفْلِيْنَ مُمْتَنِعِيْنَ مُرِيْدِيْنَ. فَمَتَى زَايَلُوا هَذِهِ الْمَمَانِيَ فَقَدْ حَرَجُوا مِنَ الْحَالِ الَّبِي أَبِيْحَ بِهَا قِتَالُهُمْ، وَهُمْ لَا يَحْرُجُونَ مِنْهَا أَبْدًا إِلَّا إِلَى أَنْ تَكُونَ دِمَاؤُهُمْ مُحَرَّمَةً كَهِي قَدْلُ.

If there is a group of people who are shedding blood and seizing wealth in either populated areas or barren wastelands, they take the same legal ruling as highway robbers. The gravity of their crime is equal whether it takes place in a populated area or a barren wasteland; but if they split up, then the crime that takes place in the populated areas is the severer of the two.²

If rebels are invited [to lay down their arms] but refuse to comply they are to be fought.... It is only permissible to fight rebels when they are engaged in fighting; and they are never seen as fighters unless they are pressing forward, withholding obedience and doing so resolutely. So whenever these qualities are absent they are no longer in the state in which it is permissible to fight them; and never do they abandon these things except that their blood is considered inviolable as it was before [their rebellion].³

¹ Saḥnūn, al-Mudawwana al-kubrā, 3:94.

² Al-Shāfi'ī, al-Umm, 4:218.

³ Ibid.

11.5 IMAM AHMAD B. HANBAL

The illustrious Imams have always taught moderation, self-control, tolerance and harmony to save people from mischief, terrorism and bloodshed. Despite immense pressures and severe hardships, including imprisonment and lashing, Imam Ahmad b. Hanbal did not provoke the Muslim masses against the government of his day. He suffered his trials due to a well-known controversial issue in Islamic doctrine regarding the createdness or uncreatedness of the Qur'an. Declaring God's Speech, the Qur'an, created was the single most dangerous tribulation the *Umma* had faced.

The belief in the createdness of the Qur'an was a product of the extremist beliefs of the Mutazilites and had completely engulfed the rulers of that time. The Mutazilites, who were the intellectual heirs of the Kharijites, were highly influential in the government. It was for this reason that many of the notable personalities of the Muslim world suffered serious opposition and oppressive measures taken by the government against them.

Imam Ahmad b. Ḥanbal was amongst those who suffered the most during this tribulation. He was lashed and tortured, but, despite all the oppression he suffered, he dissuaded people from armed revolt and rebellion against the government. Examples of his forbearance and perseverance have been chronicled in many famous books. Of them, Abū Bakr al-Khalāl's al-Sunna presents many accounts of his life and surrounding events. Abū al-Hārith narrated that he asked Imam Aḥmad b. Ḥanbal about the rebellion movement launched against the government in Baghdad. The Abbasid rulers, under the influence of the Mutazilites, were causing serious troubles to the common Muslims, but when Imam Aḥmad b. Ḥanbal was requested to join and support a rebellious movement against the government, he said,

سُبْحَانَ اللهِ، اللَّمَاءَ، اللَّمَاءَ، لَا أَرَى ذَلِكَ، وَلَا آمُرُ بِهِ، اَلصُّبُرُ عَلَى مَا نَحْنُ فِيهِ خَيْرُ مِنَ الْفِئْنَةِ يُسْفَكُ فِيهَا اللَّمَاءُ، وَيُسْتَبَاحُ فِيهَا الأَمْوَالُ، وَيُسْتَهَكُ فِيهَا الْمُحَارِمُ.

'Glorified is God! In no way do I consider it lawful to shed blood, nor do I command it. For us to be patient in these circumstances is better than tribulation in which blood is shed and in which wealth is seized and people's honour is violated'.'

Some people still insisted and said, 'Are we not faced with a situation that necessitates jihad in order to annihilate it?' Hearing that, he replied, 'Certainly, it is a disruption that will die in some days, but if swords are drawn then massacre will be the outcome. and the doors to peace and piety will close'.

When the rebellion gained momentum in the days of Caliph al-Wāthiq Billāh, the Islamic jurists collectively approached Imam Aḥmad b. Ḥanbal and mentioned the rapidly deteriorating situation. He inquired as to what they wanted and all of them submitted that they had come to him to seek his guidance and counsel, as they were fed up with the government's stance. They wanted to join the uprising and overthrow the Caliph's rule. Imam Aḥmad advised them to be patient, saying, 'Although the circumstances are worsening, you must change your mind and not challenge the government's authority'. He also said,

عَلَيْكُمْ بِالنَّكِرَةِ بِقُلُوبِكُمْ، وَلَا تَخْلَقُوا يَدَا مِنْ طَاعَةٍ، وَلَا تَشْقُوا عَصَا الْمُسْلِمِيْنَ، وَلَا تَسْفِيْنَ، وَلَا تَسْفِكُوا دِمَاءَكُمْ وَدِمَاءَ الْمُسْلِمِيْنَ مَعَكُمْ. أَنْظُرُوا فِي عَاقِبَةٍ أَمْرِكُمْ، وَاصْبِرُوا حَتَّى يَسْتَرِيْحَ بَنِّ، أَوْ يُسْتَرَاحَ مِنْ فَاجِر. لَا، هَذَا خِلَافُ الْآثَارِ الَّتِي أَمِرْنَا فِيهُمَا بِالصَّبْرِ.

See to it that you detest [these things] in your hearts but do not challenge the writ and authority of the government or cause a split in Muslim unity. Do not shed your own blood or the blood of the Muslims with you. Consider the consequences of your actions and observe patience until a pious person enjoys comfort or comfort is enjoyed at the demise of a criminal. This [idea to rebel against the government] is against the reports that command us to observe patience.²

¹ Narrated by al-Khalal in al-Sunna, p. 132 §89. This narration has an authentic chain of transmission.

² Ibid., p. 133 §90.

11.6 IMAM SUFYĀN AL-THAWRĪ

Someone approached Imam Sufyān al-Thawrī for an edict in favour of armed struggle against Caliph Hārūn al-Rashīd, but he exhorted him to observe patience and avoid turmoil. He said,

'I have sufficed you from this matter and explained it, so sit in your home [and avoid this turmoil]'. ¹

11.7 IMAM AL-MAWARDĪ

Imam al-Māwardī took a detailed account of the commands pertaining to rebels and terrorists and maintained that the rebels must be fought back until they submit to the authority of the government. He derived this decree from the verse nine of Sūra al-Hujurāt:

'And if two parties amongst the believers fight each other, then make peace between them. And if one party goes against the other, then all of you together fight the contentious party until they all submit to the command of God. And if they submit, then make peace between them with fairness and behave justly. Indeed, God loves the just'.²

Imam al-Māwardī saıd:

فِي قَوْلِهِ ﴿ وَإِنْ بَغَتْ إِخْلُمُمَا عَلَى ٱلْأَخْرَىٰ ﴾ وَجْهَانِ: أَحَلُمُمَا بَمَتْ بِالتَّمَدُي فِي الْقِتَالِ؛ وَالنَّانِي بَمَتْ بِالْمُدُولِ عَنِ الصُّلْحِ. وَقَوْلُهُ ﴿ فَقَلِبُواْ ٱلَّتِي تَنْفِي} يغنِي بِالسَّيْفِ رَدْعًا عَنِ الْبَعْيِ وَزَجْرًا عَنِ الْمُخَالَّةِ. وَفِي فَوْلِهِ تَعَالَى: ﴿ حَتَّىٰ تَفِيْءَ إِلَىٰ

¹ Ibid., p. 137 §96.

² Qur'ān 49:9.

أَمْرِ اللَّهِ﴾ حَتَّى تَرْجِعَ إِلَى الصُّلْحِ الَّذِي أَمَرَ اللهُ تَعَالَى بِهِ، وَهُوَ قَوْلُ سَعِيْدِ بْنِ جَبْيْرٍ. ﴿فَإِن فَآءَتُ﴾ أَي رَجَعَتْ عَنِ الْبَغْي.

The phrase, 'And if one party goes against the other', has two angles of interpretation. One of them is that 'goes against' [baghat] means to transgress by fighting, and the second angle is that 'goes against' means to avoid reconciliation. His statement, 'then all of you together fight the contentious party...', means that they should be fought with the sword so as to dissuade them from rebellion and discourage them from opposition. And His statement, 'until they all submit to the command of God', means that they should be fought until they return and make peace, as God Most High ordered them. And this is the view of Sa'īd b. Jubayr. 'And if they submit' means that they give up rebellion."

TT.8 IMAM AL-SARAKHSĪ

Imam al-Sarakhsī, a well-known authority in Ḥanafī jurisprudence, ruled that it is lawful to crush rebels. He said,

فَجِيْنَيْدِ يَجِبُ عَلَى مَنْ يَقُوى عَلَى الْقِتَالِ أَنْ يُقَاتِلَ مَعَ إِمَامِ الْمُسْلِمِيْنَ الْحَارِجِيْنَ لِقَوْلِهِ تَعَالَى: ﴿ وَإِنْ بَهَتَ إِخَلَمُمَا عَلَى الْأَخْرَى فَقَبِلُوا اللَّهِيَّهِ. وَالْأَمْرُ حَقِيقَةً لِلْوَجُوبِ، وَلِأَنْ الْحَارِجِيْنَ فَصَدُوا أَذَى الْمُسْلِمِيْنَ وَإِمَاطَةَ الْأَذَى مِنْ أَبْوَابِ الدِّيْنِ، لِلْوُجُوبِ، وَلِأَنَّ الْحَارِجِيْنَ فَصَدُوا أَذَى الْمُسْلِمِيْنَ وَإِمَاطَةَ الْأَذَى مِنْ أَبْوَابِ الدِّيْنِ، وَحُومُ مَعْمِينَةً فَفِي الْقِيَامِ فِقَتَالِهِمْ نَهْيَ عَنِ الْمُنْكُو وَهُو فَرْضَ وَلِأَنَّهُمْ مُهِيْجُونَ الْفُونَةَ مَن اللهُ مَنْ أَيْفَظَهَا. فَمَنْ كَانَ مَلْمُونًا عَلَى لِسَانِ صَاحِبِ الشَّرْع – صَلَوَاتُ اللهِ عَلَيْهِ – يُقَاتِلُ مَعْهُ.

So under those circumstances it is incumbent upon an ablebodied man to fight with the government of the Muslims against those who rebel. This is due to the statement of the Most High, 'And if one party goes against the other, then all of you together fight the contentious party until

¹ Al-Māwardī, *al-Aḥkām al-sulṭānɪyya*, p. 59.

they all submit to the command of God'. This command is indicative of obligation, and furthermore, those who rebel intend to harm the Muslims and removing harm is a part of the religion and their rebellion is disobedience. So fighting against them is a part of forbidding the evil, which is obligatory. Moreover, they are to be fought because they instigate turmoil. The Prophet said, 'Tribulation is sleeping; may God curse the one who awakens it'. Anyone who is cursed upon the tongue of the Prophet should be fought.²

II.9 IMAM AL-KĀSĀNĪ

Imam al-Kasānī, the author of the famous book of Ḥanafī jurisprudence, Badā'i' al-ṣanā'i', ruled that terrorists must be killed in order to eliminate mischief and strife. He wrote:

لِأَلْهُمْ سَاعُونَ فِي الْأَرْضِ بِالْفَسَادِ، فَيَقْتَلُونَ دَفَقًا لِلْفَسَادِ عَلَى وَجْهِ الْأَرْضِ. وَإِنْ فَاتَلَهُمْ فَبْلَ الدَّعْوَةِ قَدْ بَلَعَتْهُمْ لِكَوْنِهِمْ فِي دَارِ الْإِسْلَامِ، فَاتَلَهُمْ فَبْلَ الدَّعْوَةَ قَدْ بَلَعَتْهُمْ لِكَوْنِهِمْ فِي دَارِ الْإِسْلَامِ، وَمِن الْمُسْلِمِيْنَ أَيْصًا. وَيَجِبُ عَلَى كُلُّ مَنْ دَعَاهُ الْإِمَامُ إِلَى قِتَالِهِمْ أَنْ يُجِيْبَهُ إِلَى وَتَالِهِمْ أَنْ يُجِيْبَهُ إِلَى عَلَى اللهِمْ أَنْ يُجِيْبَهُ إِلَى عَلَى اللهُ اللهُمُ نَ اللهُمُ نَ اللهُمُ ُ اللهُمُ اللهُمُ اللهُمُونِ اللهُمُ اللهُمُ اللهُمُ اللهُمُمُ اللهُمُ اللهُمُونَ اللهُمُ اللهُمُ اللهُمُ اللهُمُونَ اللهُمُ اللهُمُ اللهُمُ اللهُمُونُ اللهُمُ اللهُمُ اللهُمُ اللهُمُ اللهُمُونَ اللهُمُونَ اللهُمُونُ اللهُمُونُ اللهُمُونُ اللهُمُونُ اللهُمُ اللهُمُونَ اللهُمُونُ اللهُمُونُ اللهُمُونُ اللهُمُ اللهُمُ اللهُمُونُ اللهُمُونُ اللهُمُونُ اللهُمُونُ اللهُمُونُ اللهُمُ اللهُمُ اللهُمُونُ اللهُمُ اللهُمُ اللهُمُ اللهُمُ اللهُمُ اللهُمُ اللهُمُ اللهُمُونُ اللهُمُ اللهُمُونُ اللهُمُونُ اللهُمُ اللهُمُونُ اللهُمُونُ اللهُمُونُ اللهُمُونُ اللهُمُونُ اللّهُمُونُ اللهُمُونُ اللهُمُونُ اللهُمُونُ اللهُمُونُ اللهُمُونُ اللهُمُ اللّهُمُمُ اللّهُمُمُ اللللْمُونُ الللهُمُ الللهُمُ الللهُمُونُ الللّهُمُونُ اللّهُمُ اللّهُمُونُ اللللمُونُ الللْمُونُ الللللمُونُ اللّه

Because they spread corruption on the earth, they should be fought in order to prevent that. And if the government fights them before inviting them [to change their ways], there is no harm in that, since the invitation has already reached them on account of their being in the lands in which Islam is dominant [Dār al-Islam] and being Muslims. It is incumbent upon all who are ordered by the government to fight against them to obey and it is not

¹ As indicated in the hadith, 'Faith has over seventy branches. The loftiest of them is the statement, "There is no god but God", and the lowest of them is removing harm from the street; and modesty is a branch of faith'. [Şaḥīḥ Muslim] ED.

² Al-Sarakhsī, al-Mabsūt, 10:124.

permitted for the individual fighter to lag behind if he has sufficient provisions and capability. This is because it is obligatory to obey the authority of the government in that which does not entail disobedience—so even more so if the command entails obedience!¹

11.10 IMAM AL-MARGHINANI

An important question on this topic is how long an operation against terrorists should last; Imam al-Marghīnānī spoke about this, saying:

إِذَا تَعَلَّبُ قَوْمٌ مِنَ الْمُسْلِمِيْنَ عَلَى بَلَدٍ، وَخَرَجُوا مِنْ طَاعَةِ الْإِمَامِ، دَعَاهُمْ إِلَى الْعَوْدِ إِلَى الْجَمَاعَةِ، وَكَشَفَ عَنْ شُبْهَتِهِمْ إِنَّ عَلِيًا ﴿ فَيْ فَعَلَ ذَلِكَ بِالْهَلِ حَرُورَاءَ قَبْلَ قِتَالِهِمْ، وَلِأَنَّهُ أَهْوَنُ الْأَمْرَيْنِ وَلَعَلُّ الشَّرُ يَنْدَفِعُ بِهِ، فَيَبْدَأُ بِهِ وَلَا يَبْدَأُ بِقِتَالٍ حَتَّى يَبْدُؤُوهُ، فَإِنْ بَدَؤُوهُ فَاتَلْهُمْ حَتَّى يُفَرِقُ جَمْهُمْ.

When a group of Muslims overtake an area and rebel against the authority of the Muslim government, it is to invite them to return to the main body and refute their specious arguments', just as 'Alī & did with the people of Ḥārūrā before they were fought. Moreover, this is the easier of the two options, and perhaps evil will be averted because of it. So he is to first invite them back and should not fight against them until they initiate hostilities. But when they initiate hostilities, he should fight them and scatter their forces [and crush their power].²

11.11 IMAM IBN QUDĀMA AL-MAQDISĪ

In his magnum opus, al-Mughnī, Imam Ibn Qudāma al-Maqdisī penned a section on fighting against rebels. He cited the views of the hadith scholars and stated,

ذَهَبَتْ طَائِفَةٌ مِنْ أَهْلِ الْحَدِيْثِ إِلَى أَنْهُمْ كُفَّارٌ مُرْتَدُّونَ، حُكْمُهُمْ ۚ حُكُمُ الْمُرْتَدَّيْنَ

¹ Al-Kāsānī, Badā'i' al-şanā'i', 7:140.

² Al-Marghīnānī, al-Hidāya, p. 573.

A group amongst the traditionists [hadith scholars] were of the opinion that the rebels are disbelievers and apostates, and that they take the same ruling as apostates in that their blood and wealth are lawful. If they confine themselves to a particular location and possess power and force, they become people of war [abl al-harb] like the other disbelievers. And if they are in the custody of the government, repentance is to be sought from them just as repentance is sought from the apostates. If they repent [good and well], otherwise they are to be executed and their wealth will be considered fay' (spoils acquired without fighting) and their Muslim heirs will not inherit from them.¹

TT.T2 IMAM AL-NAWAWI

Imam al-Nawawī mentioned that there is a consensus amongst the Companions that rebels are to be fought.

The scholars state, 'It is obligatory to fight rebels and they are not declared disbelievers on account of their rebellion. And if a rebel returns to obedience [to the government], his repentance is to be accepted and he should not be killed. The Companions & were unanimous in their view that rebels should be eliminated'.²

Imam al-Nawawī also described the stance of the scholarly majority with regard to declaring rebels disbelievers. He said,

Ibn Qudāma al-Maqdisī, al-Mughnī, 9:4.

² Yaḥyā al-Nawawī, Rawdat al-ţālibīn, 10:50.

أَطْلَقَ الْبَعْوِيُ أَنْهُمْ إِنْ قَاتِلُوا فَهُمْ فَسَقَةٌ وَأَصْحَابُ بَهْتِ، فَخَكْمُهُمْ خَكُمْ فُطَّعِ الطَّهِيْ فَهَذَا تَرْشِبُ الْمُلَمَّةِ وَالْمَنْمُومِ، وَمَا قَالُهُ الْجَمْهُورُ. وَحَكَى الْإِمَامُ فِي تَكْثِيرُ الْخَوَارِجِ وَجْهَيْنِ. قَالَ: فَإِن لَمْ تَكَفَّرُهُمْ فَلَهُمْ خَكُمُ الْمُرْتَدَيْنَ، وَقِيْلَ خَكُمُ الْمُرْتَدَيْنَ، وَقِيْلَ خَكُمُ الْمُرْتَدَيْنَ، وَقِيْلَ خَكُمُ الْمُرْتَدَيْنَ لَمْ تَنْقُدُ أَحْكَامُهُمْ.

Imam al-Baghawi stated that they are considered reprobates and bearers of calumny if they fight, and that the legal ruling upon them is the same as the ruling upon highway robbers. This is according to the dictates of the legal school and what is textually stated, and it is the view of the scholarly majority. The Imam [al-Baghawi] cited two views with regard to declaring the Kharijites disbelievers. He said, 'If we do not charge them with disbelief they will be treated with the rulings reserved for apostates. It has also been said that they are treated with the rulings reserved for rebels. And if we say like apostates their rulings will not be carried out'."

11.13 'ĀLIM B. AL-'ALĀ' AL-ĀNDARĪTĪ AL-DIHLAWĪ 'Ālim b. al-'Alā' al-Āndarītī al-Dihlawī writes,

يَجِبُ أَنْ يُغْلَمَ أَنَّ أَهْلَ الْبَغْيِ قَوْمٌ مِنَ الْمُسْلِمِيْنَ، يَخْرُجُونَ عَلَى الْإِمَامِ الْمَدْلِ وَيَمْتِهُونَ عَنْ أَخْكَامِ أَهْلِ الْفَدْلِ، فَالْحُكُمْ فِيْهِمْ أَلَّهُمْ إِذَا تَجَهَزُوا وَاجْتَمَعُوا حَلْ لِإِمَامِ أَهْلِ الْمَدْلِ أَنْ يُقَاتِلَهُمْ، وَعَلَى كُلُّ مَنْ يَقْدِرُ عَلَى الْقِتَالِ أَنْ يَقُومَ بِنُصْرَةِ إِمَامِ أَهْلِ الْمَدْلِ.

It must be known that the people of rebellion are a folk amongst the Muslims who rebel against the government and refuse the jurisdiction of the people of justice. The ruling regarding them is that it is permissible for the government to fight them if they take up arms and assemble a force. And everyone who is capable of fighting must assist the ruler of the people of justice.²

Ibid., 10:51-52.

² 'Ālim b. al-'Alā' al-Andarītī al-Dihlawī, al-Fatāwā al-tātārkhānıyya, 4:172.

11.14 IMAM IBN MUFLIH AL-HANBALI

Like Imam al-Nawawī, Imam Ibrāhīm, b. Muflih al-Ḥambalī also ruled that rebels must be fought. He said,

Those who impute the people of truth and the Companions with disbelief and declare lawful the shedding of Muslim blood are considered rebels [bughāt], according the view of the scholarly majority. It is obligatory to demand their repentance. If they repent [well and good], otherwise they are to be killed as punishment for their crimes, not because of disbelief.¹

He continued:

فَإِنْ فَاؤُوا وَإِلَّا فَاتَلَهُمْ وَعَلَى رَعِيْتِهِ مَعُونَتُهُ عَلَى حَرْبِهِمْ، فَإِنِ اسْتَطْرُوهُ مُدَّةَ رَجَا فَلَا يُمْكِنُ ذَلِكَ فِي حَقِّهِمْ، فَإِنْ أَبْوَا الرَّجُوعُ وَعِظْهُمْ وَحَوْقَهُمُ الْقِتَالَ لِأَنَّ الْمَقْصُودَ دَفْعُ شَرِّهِمْ لَا قَتَلُهُمْ، فَإِنْ فَاؤُوا أَيْ رَجَعُوا إِلَى الطَّاعَةِ وَإِلَّا فَاتِلْهُمْ أَي يَلْزَمُ عَلَى الْقَادِرِ قِتَالُهُمْ لِإِجْمَاعِ الصَّحَابَةِ عَلَى ذَلِكَ.

If they submit [that is well and good]; otherwise the government should fight them. And the subjects are duty-bound to assist the government in fighting against them. If they [the rebels] seek a cessation of hostilities for a time, that is not possible for them. If they refuse to return [to the main body], the government is to exhort them and warn them of impending fighting, because the objective is to repel their evil and not to kill them. If they submit to the authority of the state [well and good]; otherwise he is to fight them. So in other words, the one who is capable must fight them due to the consensus of the Companions to that effect.²

¹ Ibn Muflih, al-Mubdi, 9:160.

² Ibid., 9:161.

11.15 IMAM ZAYN AL-DÎN B. AL-NUJAYM

Imam Zayn al-Dīn b. Nujaym, one of the notable jurists of the Hanafī school and author of a commentary on the legal manual Kanz al-dagā'iq, said:

قَوْلُهُ: حَرَجَ قَوْمٌ مُسْلِمُونَ عَنْ طَاعَةِ الْإِمَامِ وَغَلَبُوا عَلَى بَلَدِ دَعَاهُمْ إِلَيْهِ وَكَشَف شَبْهَتَهُمْ بِأَنْ يَسْأَلُهُمْ عَنْ سَبَبِ خُرُوجِهِمْ، فَإِنْ كَانَ لِطْلُمِ مِنْهُ أَزَالُهُ وَإِنْ قَالُوا الْحَقُّ مَعَنَا وَالْوِلاَيَةُ لَنَا، فَهُمْ بُهَاةً، لِأَنْ عَلِيًا عِلَى فَعَلَ ذَلِكَ بِأَهْلِ حَرُورَاءَ قَبْلَ قِتَالِهِمْ وَلِأَنَّهُ أَهْوَنُ الْأَمْرَيْنِ. وَلَعَلَّ الشَّرُ يَنْدَفَعْ بِهِ، فَيَنْدَأَ بِهِ اسْتِخْبَابًا لَا وُجُوبًا. فَإِنْ أَهْلَ الْعَدْلِ لَوْ قَاتَلُوهُمْ مِنْ غَيْرٍ دَعْوَةٍ إِلَى الْعَوْدِ إِلَى الْجَمَاعَةِ، لَمْ يَكُنْ عَلَيْهِمْ شَيْءً، لِأَنْهُمْ مَا يُقَاتِلُونَ عَلَيْهِ، فَحَالُهُمْ كَالْمُرْتَذِينَ وَأَهْلِ الْحَرْبِ بَعْدَ بُلُوعْ الدُّعْوَةِ.

His statement, 'a folk from the Muslims revolt against the authority of the government and overtake a territory', (implies) the ruler is to invite them and refute their specious arguments by asking them their reasons for revolt. If it is due to some oppression that he is committing he should remove it, and if they say, 'The truth is on our side and we are in authority', they are considered rebels [bughāt], because 'Alī & did that with the people of Hārūrā before fighting them, and it is the easier of the two options, for perhaps evil can be averted through it. It is recommended for him [the ruler] to initiate this, but it is not obligatory; for if the people of justice fought them without inviting them to return to the community [jamā'a] there would be no sin upon them because they [the rebels] know that for which sake they are fighting, so their condition is like that of the apostates and the people of war [ahl al-harb] after the invitation has reached them. I

11.16 'ABD AL-RAḤMĀN AL-JAZĪRĪ

Supporting the majority opinion in his book on comparative jurisprudence, al-Fiqh 'alā al-madhāhib al-'arba'a, 'Abd al-

¹ Ibn Nujaym, al-Baḥr al-rāʾiq, 5:151.

Raḥmān al-Jazīrī held that war is obligatory against rebels. He wrote:

لُوْ حَرَجَ جَمَاعَةً عَلَى الْإِمَامِ وَمَنَعُوا حَقًا لِلّٰهِ أَوْ لِآدَبِيّ، أَوْ أَبَوْا طَاعَتَهُ يُونِدُونَ عَزْلَهُ، وَلَوْ كَانَ جَائِرًا، فَيَجِبُ عَلَى الْإِمَامِ أَنْ يُنْذِرَ مَؤْلَاءِ الْبُفَاةَ، وَيَدْعُوهُمْ لِطَاعَتِهِ، فَإِنْ هُمْ عَادُوا إِلَى الْجَمَاعَةِ تَرَكُهُمْ، وَإِنْ لَمْ يُطِيعُوا أَمْرَهُ فَاتِلَهُمْ بِالسَّيْفِ.

If a group revolts against the Muslim government and withholds a right of God or a human being, or refuses to obey the writ of the government and seeks to overthrow it—even if it is unjust—it is obligatory upon the government to warn these rebels and call them to obey it. If they then return to the fold of the community [jamā'a], it should leave them be, but if they refuse to obey the writ of the state, it must fight them with the sword.

11.17 CONCLUDING REMARKS

These citations from the illustrious imams and jurists of the four legal schools amply demonstrate that they were in unanimous agreement regarding the impermissibility of rebelling against the Muslim government. It is the responsibility of the government to assert its authority and jurisdiction, and the citizens of the Muslim state must provide full support to the government in crushing armed rebellion.

¹ 'Abd al-Rahmān al-Jazarī, al-Fiqh 'alā al-madhāhib al-'arba'a, 5:419.



CHAPTER 12

STATEMENTS FROM CONTEMPORARY SALAFI SCHOLARS AGAINST TERRORISTS



Religious scholars of every school of thought have rejected the wanton murder and destruction of terrorists. The renowned contemporary Salafi scholars have clearly stated in their rulings and edicts that killing Muslims, branding them as disbelievers and subjecting them to oppression are behaviours of the Kharijites, and that those who perform such heinous deeds are subject to the same rulings that apply to the Kharijites.

12.1 SHAYKH MUHAMMAD NAŞIR AL-DIN AL-ALBANI: THE TERRORISTS ARE THE KHARIJITES OF OUR ERA

The renowned Salafi scholar of the Arab world, Shaykh Muhammad Nāşir al-Dīn al-Albānī, described his viewpoint about terrorists in the following words:

وَالْمَقْصُودُ أَنْهُمْ سَنُوا فِي الْإِسْلَامِ سُنَّةً سَيْنَةً، وَجَعَلُوا الْخُرُوجَ عَلَى خَكَّامِ الْمُسْلِمِيْنَ دِيْنَا عَلَى مَرَّ الرَّمَانِ وَالْأَيَّامِ، رَغْمَ تَخْلِيْرِ النَّبِي ﴿ مِنْهُمْ فِي أَخَادِيْتَ كَثِيْرَةِ، مِنْهَا قَوْلُهُ ﴿ الْحَوَارِجُ كِلَابُ النَّارِ. وَرَغْمَ أَنْهُمْ لَمْ يَرَوْا كُفْرًا بَوَاحًا مِنْهُمْ، وَإِنْمَا مَا دُونَ ذَلِكَ مِنْ ظُلْمِ وَفُجُورٍ وَفِسْقِ.

وَالْيُوْمُ وَالتَّارِيْثُ يُعِينُهُ نَفْسَهُ كُمّا يَقُولُونَ، فَقَدْ نَبَتَتْ نَابِعَةٌ مِنَ الشَّبَابِ الْمُسْلِمِ لَمْ يَعَقَمُوا فِي الدِّيْنِ إِلَا قَلِيلًا. وَرَأُوا أَنَّ الْحُكُمْ لَا يَحْكُمُونَ بِمَا أَنْوَلَ اللَّهُ إِلَّا قَلِيلًا. فَرَأُوا أَنَّ الْحُكُمْ لَا يَحْكُمُونَ بِمَا أَنْوَلَ اللَّهُ إِلَا قَلِيلًا. فَرَزُوا فَعْلَ الْعِلْمِ وَالْعِقْمِ وَالْحِكْمَةِ مِنْهُمْ بَلْ رَكِبُوا وَرُوسَهُمْ أَثَارُوا فِيئًا عُمْيًاءَ وَسَفَكُوا اللَّمَاءَ فِي مِصْرَ، وَسُورِيًا، وَالْجَزَائِرِ وَقَبْلَ ذَلِكَ فِي مِصْرَ، وَسُورِيًا، وَالْجَزَائِرِ وَقَبْلَ ذَلِكَ فِي مَصْرَ، وَسُورِيًا، وَالْجَزَائِرِ وَقَبْلَ ذَلِكَ فِي النَّمَاءِ لَمَ اللَّهُ الْمُعَلِّمُ اللَّهُ الْمُعَلِّمُ اللَّهُ الْمَاءِ فِي مَصْرَ، وَسُورِيًا، وَالْجَزَائِرِ وَقَبْلَ ذَلِكَ فِي اللَّمَاءِ فِي مِصْرَ، وَسُورِيًا، وَالْجَزَائِرِ وَقَبْلُ ذَلِكَ عَلَنْ اللَّهُ عِنْ اللَّهُ مِنْ اللَّهُ الْمُعَلِّمُ اللَّهُ اللَّهُ اللَّهُ الْمُعَلِّمُ اللَّهُ وَمَلِكُوا اللَّهُ اللَّهُ اللَّهُ الْمُعَلِيلُ مَا اللَّهُ الْمُعَلِّمُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ الْمُعْلِمُ اللَّهُ اللَّهُ اللَّهُ الْمُعْلِمُ اللَّهُ الْعُلِيلُ اللَّهُ الْعُلِيلُولُ اللَّهُ الْعَلْمُ الْمُعَلِّمُ اللَّهُ الْعَلَالُولُولُكُمُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ الْمُلِيلُولُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ الْمُعْلِى اللَّهُ اللَّهُ الْمُعْلِمُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ الْعُلْمُ اللَّهُ اللَّهُ الْمُؤْلِمُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ الْمُؤْلِمُ اللَّهُ اللَّهُ اللَّهُ الْمُؤْلِمُ اللَّهُ اللَّهُ الْمُؤْلِمُ اللَّهُ الْمُؤْلِمُ اللْهُ اللَّهُ الْمُؤْلِمُ اللَّهُ الْمُؤْلِمُ اللَّهُ الْمُؤْلِمُ اللْهُ اللْمُؤْلِمُ اللْهُولِ اللَّهُ الْمُؤْلِمُ اللَّهُ اللَّهُ الْمُؤْلِمُ اللَّهُ اللَّهُ ال

The point here is that they instituted an evil practice in Islam and made revolt against the Muslim rulers an act of faith through the ages, despite the Prophet's warning against them in many hadith reports such as this

statement, 'The Kharijites are the dogs of Hell'. [And they made revolt against the rulers an act of faith,] despite the fact that they did not observe any clear-cut disbelief from them [the rulers], but rather, all they saw were things less than that, such as oppression, injustice and corruption.

So today—and as they say, 'History repeats itself'—there has emerged a faction from the Muslim youth that has gained only a small amount of religious knowledge, and they believe that the rulers do not rule by what God has revealed but a little. So as a result, they believe that it is permissible to revolt against them without seeking the counsel of the people of knowledge, understanding and wisdom. Nay, they spread blind sedition and shed blood in Egypt, Syria, Algeria and before that in the Meccan Sanctuary. By all of this they have opposed this rigorously authentic hadith that has been the basis of action for all the Muslims—from the times of the predecessors to those after them—except the Kharijites.¹

12.2 SHAYKH IBN BAZ: DECLARING MUSLIMS TO BE DISBELIEVERS IS A SIGN OF THE KHARIJITES

On his official website, Shaykh 'Abd al-'Azīz b. 'Abd Allāh b. Bāz, the former Grand Mufti of Saudi Arabia, was asked, 'We know that these words represent a fundamental from the fundamentals of the people of the Sunna and the community, but unfortunately there are some youth from Ahl al-Sunna wa al-Jamā'a who believe that this is a defeatist mentality and a type of cowardice. This has been expressed, which is why they encourage the youth to adopt violence in effecting a change'.

Shaykh Ibn Bāz responded:

هَذَا غَلَطٌ مِنْ قَالِلِهِ، وَقِلْةُ فَهُمِ؛ لِأَنْهُمْ مَا فَهِمُوا السُّنَّةُ وَلَا عَرَفُوهَا كَمَا يَنْبَغِي، وَإِلَّمَا تَحْمِلُهُمُ الْحَمَاسَةُ وَالْفَيْرَةُ لِإِزَالَةِ الْمُنْكُرِ عَلَى أَنْ يَقَمُوا فِيْمَا يُخَالِفُ الشَّرْعَ كُمَا

Muhammad Nāsir al-Dīn al-Albānī, Silsilat al-aḥādīth al-şaḥīḥa, pp. 1240–1243.

وَقَمَتِ الْعَوَارِجُ، حَمَلَهُمَ حُبُ مَصْرِ الْحَقِّ أَوِ الْفَيْرَةُ لِلْحَقِّ، حَمَلَهُمْ ذَلِكَ عَلَى أَنْ وَقَعُواْ فِي الْبَاطِلِ حَتَّى كَفَّرُوا الْمُسْلَمِيْنَ بِالْمَعَاصِي كَمَا فَعَلَتِ الْعَوَارِجُ، فَالْحَوَارِجُ كَفُّوا بِالْمُعَامِينُ، وَحَلَّدُوا الْمُعَمَاةَ فِي النَّارِ.

وَالَّذِي عَلَيْهِ أَهْلُ السُّنَةِ - وَهُوَ الْحَقُ - أَنَّ الْعَاصِينَ لَا يُكُفُّرُ بِمَعْمِيَتِهِ مَا لَمْ
يَسْتَحِلُهَا فَإِذَا زَلَا لَا يَكْفُرُ، وَإِذَا سَرَقَ لَا يَكُفُّرُ، وَإِذَ شَرِبَ الْخَفْرَ لَا يَكُفُّرُ، وَلِذَا سَرَقَ لَا يَكُفُّرُ، وَإِذَ شَرِبَ الْخَفْرَ لَا يَكُفُرُ، وَلَكِنَ إِلَّا إِذَا
يَكُونُ عَامِيًا صَعِيْفَ الْإِيْمَانِ فَاسِفًا ثُقَامُ عَلَيْهِ الْحَدُودُ، وَلَا يُكَفُّرُ بِذَلِكَ إِلَّا إِذَا
اسْتَحَلُّ الْمَعْمِينَةُ وَقَالَ: إِنَّهَا حَلَّلُ. وَمَا قَالَهُ الْحَوَارِجُ فِي هَذَا بَاطِلٌ، وَتَحْفِيرُهُمْ
لِلنَّاسِ بَاطِلٌ؛ وَلِهَذَا قَالَ فِيهِمُ النَّبِيُ فَيْقِودُ إِنْهُمْ يَعْرُقُونَ مِنَ الدِّيْنِ، مُرُوقَ السَّهُمِ مِنَ الرَّيْنِ، مُونَ إِنْهُمْ يَعْمُونَ أَهُونَ أَهُولَ الْمُولُونَ إِلَيْهِمِ مِنَ الْمُعْمِقِينَ أَلَانِهُ إِلَا إِلَا إِنْهُمْ يَعْمُ اللّهِي عَلَيْكُونَ أَهُولُونَ السَّهُمِ مِنَ اللَّيْنِ، مُؤْونَ إِلَيْهِ مُلَالِي الْمُنْ الْمِسْلَاءِ وَيَعْمَلُونَ أَهُولُ الْمُلْعِلَى اللّهُ الْمُلْعِلَى الْمُعْلِى الْمُعْمِلِينَ مُنْ اللّهِالَةُ عَلَى اللّهِ الْمُعْمِلُونَ أَلْهُ الْمُنْ الْمُلِكَ وَلَا لِللْهُ الْمُلْعِلَى الْمُعْلِقَ الْمُلْعِلَى الْمُلْعِلَى الْمُلْعَلَى الْمُعْلِعِلَى اللّهُ الْمُلْعِلَى الْمُعْلِعِلَى اللّهُ الْمُلْعِلَى الْمُلْعَالِقَ الْهُمْ لَلْمُؤْلِقِيلًا اللّهُ الْمُنْفِقُونَ أَلْهُ الْمُؤْلِقُونَ الْمُلْعِلِيلَالِي الْمُؤْلِقِيلِقَ الْمُعْلِيلِيلَا لِلْمُؤْلِقِيلِ الللْهُ لِلْمُؤْلِقِ الْمُؤْلِقِيلِ اللْمُؤْلِقِ الْمُؤْلِقِيلِ الللّهُ الْمُؤْلِقُ لِلْمُؤْلِقِلُولِ اللْمُؤْلِقُ الْمُؤْلِقُ الْمُؤْلِقُ الْمُؤْلِقُ الْمُؤْلِقِيلِي الْمُؤْلِقِيلِ الْمُؤْلِقِ الْمُؤْلِقِ الْمُؤْلِقِيلِي الْمُؤْلِقِ الْمُؤْلِقِ الْمُؤْلِقِ الْمُؤْلِقُولِ اللْمُؤْلِقُولِيلِيلِيلُولُولِ الْمُؤْلِقُ الْمُؤْلِقُ الْمُؤْلِقُ الْمُؤْلِقِ

مَذِهِ حَالُ الْحَوَارِجِ بِسَبَبِ غُلُوهِمْ وَجَهْلِهِمْ وَصَلَالِهِمْ، فَلَا يَلِيْقُ بِالشَّبَابِ وَلَا غَيْر الشَّبَابِ أَنْ يُقَلِّدُوا الْحَوَارِجَ، بَلْ يَجِبُ أَنْ يَسِيرُوا عَلَى مَذْهَبِ أَهْلِ السُّنَةِ وَالْجَمَاعَةِ عَلَى مُقْتَعْنَى الْأُولَٰةِ الشَّرْعِيَّةِ، فَيَقِقُوا مَعَ النَّصُوصِ كَمَا جَاءَتْ، وَلَيْسَ لَهُمُ الْحُرُوجُ عَلَى السُّلْطَانِ مِنْ أَجْلِ مَعْمِيَةٍ أَوْ مَعَاصِ وَقَعَتْ مِنْهُ، بَلْ عَلَيْهِمُ الْمُنَاصَحَةُ بِالْمُكَاتِيةِ وَالْمُشَافَهَةِ، بِالطُّرِقِ الطَّيَّةِ الْحَكِيْمَةِ، وَبِالْجِدَالِ بِالَّتِي هِيَ أَحْسَنُ، حَتَّى يَنْجَحُوا، وَحَتَى يَقِلُ الشَّرُ أَوْ يَزُولَ وَيَكُثُرُ الْحَيْنُ.

This is a mistake from the speaker and shows a deficiency of understanding. This is because they did not know or understand the Sunna as they should, and it was only their zealousness and eagerness to remove evil that caused them to fall into that which opposes the Shariah—as occurred with the Kharijites. Their love for supporting the truth and their zealousness for the truth motivated them, but their inability to differentiate between honour and rebellion caused them to fall into falsehood to the point that they accused the Muslims of disbelief on account of disobedience, as did the Kharijites who declared others disbelievers on account of disobedience and believed that they would abide eternally in Hell. . . .

The position of Ahl al-Sunna—which is the truth—is that a disobedient person is not to be declared a disbeliever on account of his disobedience so long as he does not declare it lawful. So if he fornicates, for instance, he is not declared a disbeliever; if he steals, he is not declared a disbeliever; and if he drinks alcohol, he is not declared a disbeliever. However, in those cases he will be considered a disobedient person with weak faith, a reprobate against whom the prescribed punishments should be applied. He is not to be declared a disbeliever for any of these things. unless he declares disobedience lawful and states that it is lawful. The view of the Kharijites on this issue is false and their charges of disbelief against people are false. For this reason, the Prophet & said concerning them, 'They shall pass through the religion just as an arrow passes through a hunted game. They will not return. They kill the people of Islam and leave the idolaters'.

This condition of the Kharijites is due to their extremism, ignorance and misguidance. Therefore, it is not fitting for the youth—or anyone else for that matter—to blindly follow the Kharijites. Nay, it is obligatory upon them to follow the way of Ahl al-Sunna wa al-Jama'a in accordance with the legal proofs. They must stop where the revealed texts stop. It is impermissible for them to revolt against the ruler due to one or several acts of disobedience he commits; rather, they must see to it that they deliver advice verbally or in writing, and with goodly and wise methods, and by arguing in a way that is best: that they may be successful and in order to minimize or eliminate evil and increase goodness. ¹

12.3 Shaykh Şāliḥ al-Fawzān: The Terrorists of Today Are a Group of Ignorant Folk

The renowned Salafi scholar of Saudi Arabia, Shaykh Şāliḥ al-

See: www.binbaz.org.sa:mat:1934 (accessed May 24, 2010).

Fawzān, was asked: 'Some people say that the government and religious scholars have suspended jihad, which is tantamount to rejecting God's rulings. What is your opinion about that?' To this, he replied:

هَذَا كَلامُ جَاهِلٍ، يَدُلُّ عَلَى أَنَّهُ مَا عِنْدَهُ بَعِيْرَةً وَلا عِنْمَ وَأَنَّهُ يُكَفُّرُ النَّاسَ، وَهَذَا رَأَيُ الْحَوَارِجِ وَالْمُفَتَوِلَةِ، نَسْأَلُ الله الْعَافِيَةَ، لَكِنْ مَا لُسِيْءُ الطُّنَّ بِهِمْ، نَقُولُ: هَؤُلَاءِ جُهَّالْ، يَجِبُ عَلَيْهِمْ أَنْ يَتَمَلَّمُوا فَبْلَ أَنْ يَتَكَلَّمُوا، أَمَّا إِنْ كَانَ عِنْدَهُمْ عِلْمَ وَيَقُولُونَ بِهَذَا الْقُوْلِ، فَهَذَا رَأْيُ الْحَوَارِجِ وَأَهْلِ الصَّلَالِ.

These are the words of an ignorant person, and they show that he lacks insight and knowledge and that he is imputing people with disbelief. This is the view of the Kharijites and the Mutazilites—may God give us wellbeing. That said, we should not think bad of such people; we should rather say, 'These people are ignorant and they must learn before speaking'. On the other hand, if they possess knowledge and say this, then this is the view of the Kharijites and the people of misguidance.¹

When asked if people with the mindset of the Kharijites still exist today, he replied,

سُبْحَانَ اللهِ، وَهَذَا الْمَوْجُودُ، أَلَيْسَ هُوَ فِعْلُ الْحَوَارِجِ، وَهُوَ تَكْفِيرٌ الْمُسْلِمِيْنَ، وَأَشَدُّ مِنْ ذَلِكَ قَتْلُ الْمُسْلِمِيْنَ وَالْإِعْتِدَاءُ عَلَيْهِمْ. هَذَا مَلْهَبُ الْحَوَارِجِ. وَهُوَ يَتَكُونُ مِنْ لَلاَئَةِ أَشْبَاءَ: أَوْلاً: تَكُفِيْرُ الْمُسْلِمِيْنَ. لَابِيّا: الْخُرُوجُ عَنْ طَاعَةِ وَلِيّ الْأَمْرِ. ثَالِيًا: إسْتِبَاحَةُ دِمَاءِ الْمُسْلِمِيْنَ. هَلِهِ مِنْ مَلْهَبِ الْحَوَارِجِ، حَتَّى لَوِ اعْتَقَدَ بِقَلْبِهِ وَلا تَكُلَّمَ وَلا عَمِلَ شَيْنًا، صَارَ حَارِجًا فِي عَقِيْدَتِهِ وَزَاهِ اللَّذِي مَا أَفْصَحَ عَنْهُ.

God is exalted above all imperfections! Is it not present—the act of the Kharijites, declaring the Muslims disbelievers; and more severe than that, killing Muslims and transgressing against them? This is the way of the Kharijites. Their way is composed of three elements:

¹ Şalih al-Fawzān, al-Jıhād wa dawābıţuhu al-shar'ıyya, p. 49.

Declaring the Muslims disbelievers, revolting against the ruler and declaring lawful the blood of the Muslims. These three things are from the way of the Kharijites. If someone merely believed these things in his heart and did not speak about them or act upon them he would still be considered a Kharijite in his belief and view that he left unarticulated.¹

12.4 MUFTI NADHIR ḤUSAYN AL-DIHLAWI: TERRORIST ACTIVITIES ARE NOT JIHAD

Speaking about jihad, Mufti Nadhīr Ḥusayn al-Dihlawī, one of the Salafi Ahl al-Ḥadīth scholars of the Indian Subcontinent, wrote:

But there are many conditions for jihad and unless they are fulfilled, there will be no jihad. Firstly, there should be a ruler of the Muslims. The evidence for this is that, in the Qur'ān, God Most High described a story of one of the Prophets of old who told his people that they should have a ruler or head to wage jihad:

'Have you not seen the group from the Children of Israel who came after Moses? When they said to their Prophet, "Appoint for us a king so that we may fight in the cause of God [under his command]".'2

This verse clearly shows that there is no jihad without a ruler, because had there been jihad without a ruler, they would not have felt any need to say that. And it has been mentioned in a hadith that the ruler is a shield and one should fight behind it and save oneself through it. Abū Hurayra & reported that the Messenger of God & said,

^I Fahd al-Ḥuṣayn, al-Fatāwā al-shar'ıyya fī al-qaḍāyā al-'aṣrīyya.

² Qur'ān 2:246.

'Indeed, the ruler is a shield. One fights behind him and is protected by him'." Narrated by al-Bukhārī and Muslim.

This clearly states that jihad can only be waged if it is led by a ruler. Secondly, there should be a sufficient amount of logistical support with which one can face the disbelievers in combat. God Most High states in the Qur'ān:

'And prepare against them as much might as you can as well as war steeds, thereby striking fear into God's enemies and your enemies'.2

Imam al-Baghawī said in his exegesis of this verse,

'Preparation is to take something of power during a time of need, such as the tools that will be a source of strength for you against them, including steeds and weaponry'.

God also says,

'O you who believe! Take your precautions; set out as separate units or go out all together'.3

¹ Narrated by al-Bukhārī in al-Ṣaḥīh: Kutāb al-jihād wa al-siyar [The Book of Martial Jihad and Expeditions], chapter: 'Fighting behind the Ruler and Seeking His Protection', 3:1080 \$2797; and Muslim in al-Ṣahīḥ: Kutāb al-imāra [The Book of Leadership], chapter: 'Fighting behind the Ruler and Seeking His Protection', 3:1080 \$2797.

² Qur'ān 8:60.

³ Ibid., 4:71.

The hadith master and reviver of the Sunna said in his exegesis of this verse, 'In other words, your military preparation and weaponry'. Traditions also tell us their significance, and it is evident that nothing can be accomplished without weapons.

Thirdly, there should be a citadel, nation, or hub of peace for the Muslims to look forward to. Regarding the word 'might', 'Ikrima said, "Might" means the fortresses'. This was cited in al-Baghawī's Ma'ālim al-tanzīl. Jihad was not made obligatory until the Prophet immigrated to Medina and it became a centre of peace. This clearly proves that it is necessary to have a place of peace.

Fourthly, the Muslims should have sufficient numerical strength to fight the disbelievers, and it should not be less than half of the enemy army. God says,

'God has now lightened the burden upon you, and He knows there is some weakness amongst you. So if there are one hundred resolute and steadfast men, they will overcome two hundred; and if there are one thousand, they will triumph over two thousand by God's command. And God is with the steadfast'.'

This verse clearly states that the Muslims should fight against two times more than their number and not more than that. In my view, none of these conditions for jihad are fulfilled today. Jihad, therefore, is not possible under these circumstances. . . .

عَنِ ابْنِ عُمَرَ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: إِنَّ الْفَاهِرَ يُنْصَبُ لَهُ لِوَاءً يَوْمَ الْقِيَامَةِ، فَيقَالُ: هَذِهِ غَنْرَةُ فَكَانِ بْنِ فُلَانٍ. رَوَاهُ الشَّيْحَانِ.

¹ Ibid., 8:66.

Anas & reported that the Prophet said, 'On the Day of Resurrection, every violator of trusts will have a banner by which he will be known'. Narrated by al-Bukhārī and Muslim.

Ibn 'Umar' reported that the Messenger of God said, 'On the Day of Rising, a banner will be fixed for a mischief-monger, and it will be proclaimed, "This is a sign of mischief of so-and-so".' Narrated by al-Bukhārī and Muslim.

12.5 SUMMARY

We have seen from the Qur'an, the Sunna, the commentaries of the jurists, the explanations of the hadith scholars and the various religious edicts and research works, that rebels are those who initiate armed revolt against the Muslim polity and have the strength to do so. They refuse to submit themselves to the authority of the government and they declare an open war against it by brandishing weapons—regardless if their rebellion is against a corrupt government or a just one. Whether their struggle is based on an incorrect religious interpretation or a purely worldly pursuit, their acts clearly designate them as rebels and terrorists. As long as they take up arms and fight against the legitimate Muslim government, the government should launch military operations against them until they lay down their arms, submit to its sovereignty, completely give up their terrorist activities and make a commitment to act as peaceful citizens and support legal and democratic means for getting their demands fulfilled.



CHAPTER 13

THE TRIBULATION OF THE KHARIJITES AND MODERN-DAY TERRORISTS

13.1 THE BELIEFS, DOCTRINES AND BLAMEWORTHY INNOVATIONS OF THE KHARIJITES

Islam is a religion of balance and moderation. God Almighty mentions about the Muslim *Umma*:

(وَكَذَالِكَ جَعَلْنَكُمْ أُمَّةً وْسَطًّا)

'And likewise We have made you a moderate nation'. 1

Some people have rendered the phrase 'ummatan wasatan' as the middle, medium or impartial nation, but in reality, it signifies moderation, balance and equilibrium. This moderation is in both doctrine and behaviour. That is the chief attribute of Islam. Those who eschew moderation have drifted away from the true spirit of Islam. Throughout the ages there emerged amongst the Muslims various groups that have embraced extremism, and were shunned as a consequence even though they manifested Islam, performed acts of religious devotion and adopted the outward trappings of Islam. At the forefront of these extremist groups are the Kharijites.

The Kharijites first appeared in the days of the Prophet and their ideas gained momentum during the caliphate of 'Uthmān , until it emerged as a full-fledged and organized group during the caliphate of our master 'Alī . God Most High alluded to the Kharijites in the Qur'ān and there are many prophetic hadith reports that explain their signs, beliefs, doctrines and practices.

In general, the Kharijites committed acts of terrorism and carried out atrocities in the name of Islam. Due to their extreme and specious religious arguments, they would declare it permissible to shed the blood of Muslims. In this chapter we shall examine the relationship between the beliefs and actions of the Kharijites of old and the terrorists of today.

¹ Qur'ān 2:143.

13.2 THE DEFINITION OF A KHARIJITE

Before examining the signs, beliefs and doctrines of the Kharijites, let us cite some of the definitions that the classical scholars have given for them. Imam Muhammad b. 'Abd al-Karīm al-Shahrastānī said in his famous book of heresiology, al-Mılal wa al-niḥal:

كُلُّ مَنْ خَرَجَ عَنِ الْإِمَامِ الْحَقِّ الَّذِي التَّفَقَتِ الْجَمَاعَةُ عَلَيْهِ يُسَمَّى خَارِجِيًّا، سَوَاءً كَانَ الْخُرُوجُ فِي أَيَّامِ الصَّحَابَةِ عَلَى الْأَبَيَّةِ الرَّاشِدِيْنَ أَوْ كَانَ بَعْنَهُمْ عَلَى التَّابِعِيْنَ بِإِخْسَانِ وَالْأَلِمَّةِ فِي كُلُّ زَمَانٍ.

Anyone who revolts against the Muslim government that enjoys the support of the community [jamā'a] is called a Kharijite—whether this revolt was against the Rightly Guided Caliphs during the time of the Companions or against those after them who followed them with excellence [the second generation, al-Tābi'īn], or the Muslim rulers of every subsequent era.

Imam al-Nawawī said:

ٱلْحَوَارِجُ صِنْفٌ مِنَ الْمُبْتَدِعَةِ يَفتَقِدُونَ أَنَّ مَنْ فَعَلَ كَبِيرُةً كَفَرَ، وَخُلَّدَ فِي النَّارِ، وَمَطْعَنُونَ لِذَلِكَ فِي الْأَلِيثَةِ وَلَا يَحْصُرُونَ مَعَهُمُ الْجُمُعَاتِ وَالْجَمَاعَاتِ.

The Kharijites are a group of blameworthy innovators who believe that a person who commits a grave sin falls into disbelief and will eternally reside in Hell. For this reason, they defame the rulers and do not participate in the congregational prayers or the Friday prayers with them.²

Ibn Taymiyya stated:

كَانُوا أَهْلَ سَيْفِ وَقِتَالِ، ظَهَرَتْ مُخَالَفَتُهُمْ لِلْجَمَاعَةِ؛ حِيْنَ كَانُوا يُقَاتِلُونَ النَّاسَ. وَأَمَّا الْيَوْمَ فَلَا يَعْرِفُهُمْ أَكْتَرُ النَّاسِ . . . وَمُرُوقُهُمْ مِنَ اللَّيْنِ خُرُوجُهُمْ بِاسْتِحْلَالِهِمْ دِمَاءَ الْمُسْلِمِيْنَ وَأَمْوَالُهُمْ.

¹ Al-Shahrastānī, al-Mılal wa al-niḥal, p. 114.

² Yahyā al-Nawawī, Rawdat al-ţālibīn, 10:51.

Since they were armed and inclined to fight, their opposition to the community [iamā'a] manifested when they started killing the people. However, as for today, most people [due to their religious garb and appearance] do not know of them. . . . [A]nd their 'passing through the religion' is their leaving it because of their having declared lawful the blood and wealth of the Muslims. I

Elsewhere he stated:

وَهَوْلَاءِ الْحَوَارِجُ لَيْسُوا ذَلِكَ الْمُعَسْكُرَ الْمَخْصُوصَ الْمَعْرُوفَ فِي التَّارِيْخ، بَل يَخْرُجُونَ إِلَى زَمَنِ الدُّجَّالِ. وَتَخْصِيْصُهُ ﷺ لِلْفِيَّةِ الَّتِي خَرَجَتْ فِي زَمَن عَلِيٍّ بْنِ أَبِي طَالِب، إِنَّمَا هُوَ لِمَعَان قَامَتْ بِهِمْ، وَكُلُّ مَنْ وُجِدَتْ فِيْهِ تِلْكُ الْمَعَانِي أَلْحِقَ بِهِمْ، لأَنَّ التَّخْصِيْصَ بِالذُّكُو لَمْ يَكُنْ لِإخْتِصَاصِهِمْ بِالْحُكْمِ، بَلْ لِحَاجَةِ الْمُخَاطَبِيْنَ فِي زَمَنه الله إلى تغيينهم.

And these Kharijites are not only the armed group that was known in history [during the caliphate of 'Alī]: rather, they are the ones who will appear time and time again until the time of the Anti-Christ [al-Dajjal].2 The Prophet's particular mention of the group that appeared during the time of 'Alī b. Abī Tālib was due to the many traits found in them. Anyone in whom these traits are found is counted amongst them, for the particular mention of them [by the Prophet all was not because the ruling applied to them alone, but rather it was because those who were addressed during the Prophet's time & needed to fix their identity in the times to come.3

Ibn Hajar states,

الْحَوَارِجُ فَهُمْ جَمْعُ خَارِجَةِ أَيْ طَائِفَةٍ، وَهُمْ قَوْمٌ مُبْتَدِعُونَ. سُمُوا بِذَلِكَ لِحُرُوجِهِمْ عَن الدِّيْن، وَخُرُوجِهمْ عَلَى خِيَارِ الْمُسْلِمِيْنَ.

Ibn Taymiyya, al-Nubuwwāt, p. 222.

² Ibn Taymiyya, Maimū'a al-fatāwā, 28:495-496.

³ Ibid., 28:476-477.

'The word "Kharijites" is the plural of khārija ["he who went out"], which means a faction. They are a group of blameworthy innovators, and are called rebels because of their leaving the religion and rebelling against the best of the Muslims'.

Imam Badr al-Dīn al-'Aynī commented:

'They are a faction that has left the religion, and they are a group of blameworthy innovators. They are called that because they rebelled against the best of the Muslims'.²

Ibn Nujaym al-Ḥanafī stated,

The Kharijites are a folk possessing strength and zealotry, who revolt against the government due to a self-styled interpretation. They believe that government is upon falsehood, disbelief or disobedience that necessitates it being fought against, and they declare lawful the blood and wealth of the Muslims.³

This is a basic outline and definition of the Kharijites. Let us now review the Qur'ānic exegeses, hadith commentaries and other sources to know the meanings of the Qur'ānic verses and prophetic hadith that condemn the atrocities and terrorism committed by the Kharijites against Muslims and non-Muslims.

Ibn Hajar al-'Asqalānī, Fath al-Bārī, 12:283.

² Badr al-Dīn al-'Aynī, 'Umdat al-qārī, 24:84.

³ Ibn Nujaym, al-Baḥr al-rā'iq, 2:234.

13.3 THE TRIBULATION OF THE KHARIJITES AS ARTICULATED IN THE QUR'AN

The Qur'ān has strongly rejected, in numerous places, the heinous act of murder, especially murder on a mass scale that spreads terror and mischief on earth. According to the Qur'ān, those who commit such deeds are considered brigands and rebels (which we already discussed). A thorough study of the Qur'ān will shed light on the many signs and blameworthy innovations of the Kharijites. Here we present some of these Qur'ānic verses.

13.3.1 THE KHARIJITES POSSESS DEVIATION IN THEIR HEARTS God says in the Qur'an,

﴿هُوَ الَّذِى أَنْزَلَ عَلَيْكَ الْكِتْبَ مِنْهُ عَايَّتُ مُخَكَّمَاتُ هُنَّ أَمُّ الْكِتْبِ وَأَحَرُ مُتَشْبِهَاتُ فَأَمُّا الَّذِينَ هِى قُلُوبِهِمْ زَيْغٌ فَيَتَّبِهُونَ مَا تَشْبَهُ مِنْهُ الْبِهَاءَ الْفِئْقَةِ وَالْبَهَاءَ تأويلِهِ وَمَا يَعْلَمُ تَأْوِيلَهُ إِلَّا اللَّهُ وَالرَّاسِخُونَ هِى الْعِلْمِ يَقُولُونَ عَامَنًا بِهِ كُلُّ مُنْ عِندِ رُثَنَا وَمَا يَعْلَمُ ثَالِيلَةً إِلَّا اللَّهُ وَالرَّاسِخُونَ هِى الْعِلْمِ يَقُولُونَ عَامَنًا بِهِ كُلُّ مُنْ عِندِ

'He is the One Who has revealed to you the Book comprising some firm and solid verses [i.e., literally clear and precise in meaning]; they are the foundation of [commandments] of the Book. And other verses are figurative [i.e., containing abstract and allusive meaning]. So, those who have deviation in their hearts follow only its figurative verses [just] under the urge to create disruption and with the motive to supply them self-seeking interpretation instead of their true interpretation. But none knows its true interpretation apart from God. And those who are perfectly firm in knowledge say: 'We believe in it. The whole (Book) has been revealed by our Lord'. And direction and guidance is the share of only those who possess wisdom and insight'."

Interpreting this verse, Imam Ibn Abī Ḥātim wrote,

¹ Qur'an 3:7.

عَنْ أَبِي أَمَامَةَ عَنْ رَسُولِ اللهِ ﷺ: أَنْهُمُ الْحَوَارِجُ.

'Abū Umāma reported that the Messenger of God 🏔 said, "They are the Kharijites".'

Ibn Kathīr cited a hadith in which the Prophet دُهُ said, فَأَمَّا ٱلَّذِينَ فِي قُلُوبِهِمْ زَنْغٌ فَيَتَهُونَ مَا تَشَابَةً): هُمُ الْحَوَارِجُ.

"As for those who possess deviation in their hearts, they seek to follow what is unclear thereof" are none else but the Kharijites'.2

Imam al-Khāzin mentioned in his exegesis the various people of deviation and included the Kharijites amongst them.³ The hadith of Abū Umāma cited by Abū Ḥafş al-Ḥanbalī in his exegesis is revealing and deserves mention. Abū Ḥafş al-Ḥanbalī wrote:

قَالَ الْحَسَنُ: هُمْ الْحَوَارِخِ، وَكَانَ قَنَادَةُ إِذَا فَرَأَ هَلِهِ الآيَةَ ﴿فَأَمُّ اللَّذِينَ فِي قُلُوبِهِمْ
زَيْعٌ﴾ قَالَ: إِنْ لَمْ يَكُونُوا الْحَرُورِيَّةُ فَلَا أَدْرِي مَنْ هُمْ. . . . وَعَنْ أَبِي عَالِبٍ قَالَ:
كُنْتُ أَمْشِي مَعَ أَبِي أَمَامَةً، وَهُوَ عَلَى حِمَارٍ حَتَّى إِذَا الْتَهَى إِلَى دَرَجِ مَسْجِدِ
مِسْقَى، فَقَالَ أَبُو أَمَامَةً؛ كِلَابُ النَّارِ، كِلَابُ النَّارِ، كِلَابُ النَّارِ، كَلَابُ النَّارِ، مَثْرُ قَطْلَى تَحْتُ
ظِلِّ السَّمَاءِ، طُوبَى لِمَنْ فَتَلَهُمْ وَقَتَلُوهُ - يَقُولُها ثَلَانًا. ثُمَّ بَكَى، فَقُلْتُ: مَا يُبْكِئِكَ
يَا أَبَا أَمَامَةً؟ قَالَ: رَحْمَةً لَهُمْ لِلْهُمْ وَقَتَلُوهُ - يَقُولُها ثَلَانًا. ثُمَّ بَكَى، فَقُلْتُ: مَا يُبْكِئِكَ
مِنْهُ. فَقُلْتُ: يَا أَبَا أَمَامَةً، هُمْ هَوْلَاءٍ؟ قَالَ: يَمَمْ، قُلْتُ: أَشِيءٌ تَقُولُهُ بِرَأْيِكَ، أَمْ شَيءً
مَنْهُ وَمَنَ أَنْهِ اللّٰهِ هُؤَهِ فَقَالَ: إِنِّي إِذَنْ لَحَرِيءٌ، إِنِّي إِذَا لَجَرِيءٌ، بَلَ سَمِعْتُهُ مِنْ
رَسُولِ اللّٰهِ هُمْ مَرَّةً وَلَا مَرْمَنْنِ، وَلَا فَلَاتُ، وَلا أَنْهِ، وَلا حَمْسٍ، وَلا سِتُّ، وَلا عَمْسٍ، وَلا سِتُّ، وَلا اللهِ ، وَوَمَعَ أَصْبُعَيْهِ فِي أَذْنَهُم، قَالًا: وَلَا قَلَاتُ، وَلا أَنْهِ، وَلا حَمْسٍ، وَلا سِتُّ، وَلا اللهِ عَلَى وَرَحْمَعُ أَلَى اللّٰهُ عَلَى وَمَامً أَصْبُعَيْهِ فِي أَذْنَهُم، قَالَا وَلا فَصُمُنَا – قَالُهَا فَلَاكًا.

Al-Hasan said, 'They [who have deviation in their hearts] are the Kharijites'. And when Qatada recited this verse,

Ibn Abī Ḥātim al-Rāzī, Tafsīr al-Qur'ān al-'Azīm, 2:594.

² Ibn Kathīr, Tafsīr al-Qur'ān al-'Azīm, 1:347.

³ Al-Khāzin, Lubāb al-ta'wīl, 1:217.

'So as for those who possess deviation in their hearts ...', he would say, 'If they are not the Harūriyya fi.e., Kharijites] then I do not know who they are....' It is reported from Abū Ghālib who said, 'I was once walking with Abū Umāma as he rode a donkey. When he finally reached the door of the Mosque of Damascus he said thrice, "They are the dogs of Hellfire. They are the most evil of those slain under the heavens. Glad tidings to the one who kills them and the one who is killed by them". then he wept. I said, "O Abū Umāma, what causes you to cry?" He replied, "Out of pity for them. They were from the people of Islam [and became disbelievers] and left its fold". I asked, "O Abū Umāma! Are these [the Kharijites] the ones you are referring to?" He replied, "Yes". I then asked, "Is this something you say from your own opinion, or is it something you heard from the Messenger of God ?" He replied, "I would be most foolhardy if I said this from my own opinion; rather, I heard it from the Messenger of God not once, twice, thrice, or four times, five times, six times or seven times, but several times". Then he inserted his fingers into his ears and said thrice, "If what I say is untrue, let both of my ears go deaf"."

Imam al-Suyūţī also narrated this hadith in his exegesis and explained that the Prophet meant the Kharijites. Al-Naḥās has also narrated from 'Ā'isha who reported that 'Abd Allāh b. 'Abbās said that the people of deviation mentioned in the verse were the Kharijites. 3

13.3.2 THE KHARIJITES ARE APOSTATES WHOSE FACES WILL BE DARKENED

God says in the Qur'an,

^I Abū Hafş al-Ḥanbalī, al-Lubāb fī 'ulūm al-Kitāb, 3:437.

² Jalāl al-Dīn al-Suyūṭī, *al-Durr al-manthūr*, 2:148.

³ Al-Naḥās, Ma'ānī al-Qur'ān al-Karīm, 1:349.

﴿ يَوْمَ تَبَيْعِنُ وَجُوهٌ وَتَسْوَدُ وَجُوهٌ فَأَمَّا الَّذِينَ اسْوَدُتْ وَجُوهُهُمْ أَكَفَرَتُمْ بَعْدَ إِيمَذِكُمْ فَلُوفُواْ الْفَدَابَ بِمَا كُنتُمْ تَكْفُرُونَ ﴾

'On the Day when many faces will be bright and many others will be dark, the ones with dark faces [will be asked], "Did you reject faith after you had believed? So taste the torment for the disbelief you had been committing"."

Interpreting this verse, Imam Ibn Abī Ḥātim narrated from Abū Umāma that the Prophet said, '[In this verse] they [who rejected faith after believing] are the Kharijites'. Ibn Kathīr also referred to the Kharijites in his interpretation of this verse. Ibn Mardawayh narrated the same report via Abū Ghālib and Abū Umāma. Imam Aḥmad narrated it in his Musnad, Imam al-Ṭabarānī in his al-Mu'jam al-kabīr and Imam Ibn Abī Ḥātim narrated it in his exegesis from Abū Ghālib's chain of transmission. In his exegesis of this verse, Imam al-Suyūṭī also referred to the Kharijites. I

13.3.3 THE KHARIJITES ARE PEOPLE OF SEDITION AND RUIN God says in the Qur'ān,

﴿ يَآ أَيُهَا الَّذِينَ ءَامَنُواْ لَا تَتْجِدُواْ بِطَانَةً مِّنْ دُونِكُمْ لَا يَاْلُونَكُمْ حَبَالاً وَدُواْ مَا عَيْتُمْ قَدْ بَدَتِ الْبَغْصَاءُ مِنْ أَفْوَاهِهِمْ وَمَا تُخْفِى صُدُورُهُمْ أَكْبَرُ قَدْ بَيْنًا لَكُمُ ٱلْأَيْتِ إِنْ كُنتُمْ تَغْفِلُونَ ﴾

'O believers! Do not confide in those who are not from amongst you. They will never miss [any] chance to cause you mischief. They wish you severe torture. As for their malice, that has become evident from their utterances, and [the hostility] that they have concealed in their hearts

¹ Qur'ān 3:106.

² Ibn Abī Hātim al-Rāzī, Tafsīr al-Qur'ān al-'Azīm, 2:594.

³ Ibn Kathīr, Tafsīr al-Qur'ān al-'Azīm, 1:347.

⁴ Jalāl al-Dīn al-Suyūtī, al-Durr al-manthūr, 2:148.

is [even] greater. We have made the Signs manifest to you, if you would use your intellect'.

Imam Ibn Abī Hātim said in his exegesis of this verse,

'Abū Umāma reported that the Messenger of God 🏔 said, "They are the Kharijites".'2

Imam al-Qurtubī commented in his exegesis of this verse that it indicates the Kharijites, and he mentioned that they will continually cause strife and use trickery and deceit.³

13.3.4 The Kharijites are at War with God and His Messenger 🐞 and Must be Killed

God says in the Qur'an,

﴿إِنَّمَا جَزَآؤُا ٱلَّذِينَ يُحَارِبُونَ ٱللَّهَ وَرَسُولَهُ وَيَسْعَوْنَ فِي ٱلْأَرْضِ فَسَادًا أَن يُقَتَّلُواْ أَوْ يُصَلِّبُواْ أَوْ تُقَطَّعَ ٱيْدِيهِمْ وَأَرْجُلُهُمْ مِّنْ جِلَفٍ أَوْ يُنْفَوْاْ مِنَ ٱلْأَرْضِ ذَالِكَ لَهُمْ خِزْئ فِي ٱلدُّنِيَا وَلَهُمْ فِي ٱلْأَبْرَوْ عَذَابٌ عَظِيمٌ﴾

'Indeed, those who wage war against God and His Messenger and remain engaged in creating mischief in the land [i.e., perpetrate terrorism, robbery and burglary amongst the Muslims], their punishment is that they should be slain, or crucified, or their hands and their feet on opposite sides should be cut off, or that they should be exiled from the land [either by banishment or by imprisonment]. That is for them a humiliation in this world, and for them there is a terrible torment in the Hereafter'.4

Ibn 'Abbās & said in his interpretation of this verse,

¹ Qur'ān 3:118.

² Ibn Abī Ḥātim al-Rāzī, Tafsīr al-Qur'ān al-'Azīm, 3:742.

³ Muhammad al-Qurtubī, al-Jāmi' li ahkām al-Qur'ān, 4:179.

⁴ Qur'an 5:33.

مَنْ شَهَرَ السَّلَاحَ فِي فِتَةِ الْإِسْلَامِ، وَأَحَافَ السَّبِيْلَ ثُمَّ طَفَرَ بِهِ، وَقَدَرَ عَلَيْهِ فَإِمَامُ الْمُسْلِمِيْنَ فِيْهِ بِالْجِيَارِ، إِنْ شَاءَ قَتَلَهُ وَإِنْ شَاءَ صَلَمَةُ وَإِنْ شَاءَ فَطَعَ يَدَهُ وَرِجْلَهُ.

Whoever takes up arms against the Muslims and spreads fear on the roads, and is subsequently apprehended and caught, his fate is at the discretion of the ruler of the Muslims; if he so decides he may kill him, and if he so decides he may crucify him or cut off his hands and feet from opposite sides.¹

This interpretation was also mentioned by Imam al-Tabarī and Ibn Kathīr, and reported from Sa'īd b. al-Musayyab, Mujāhid, 'Aṭā', al-Ḥasan al-Baṣrī, Ibrāhīm al-Nakha'ī and al-Daḥḥāk.² Imam al-Qurṭubī narrated in his exegesis that this verse was revealed about a group during the time of the Prophet . This group committed terrorism and violence outside of Medina, and as a result, were subjected to a severe punishment. Al-Zamakhsharī interpreted this verse, saying,

Citing this exact quote from al-Zamakhsharī, Abū Ḥafş al-Ḥanbalī wrote:

What is meant here is that they wage war against the Messenger of God ——and God's name was only

¹ Ibn Jarīr al-Tabarī, Jāmi' al-bayān, 6:214; and Ibn Kathīr, Tafsīr al-Qur'ān al-'Azīm, 2:51.

² Ibid.

³ Jār Allāh al-Zamakhsharī, al-Kashshāf 'an ḥaqā'ıq ghawāmıd al-Tanzīl, 1:661.

mentioned in exaltation and esteem for the one against whom war is waged, similar to the statement of God Most High, 'Indeed, those who pledge fealty to you are only pledging fealty to God'. [Qur'ān 48:10]¹

This verse also implies that it is permissible to kill brigands. Al-Qāḍī Thanā' Allāh Pānīpatī saɪd:

أَجْمَعُوا عَلَى أَنَّ الْمُرَادَ بِالْمُحَارِيْنَ الْمُفْسِدِيْنَ فِي هَذِهِ الآيَةِ قُطَّاعُ الطَّرِيْقِ، سَوَاءً كَانُوا مُسْلِمِيْنَ أَوْ مِنْ أَهَلِ اللَّمَةِ. وَاتَّقَقُوا عَلَى أَنْ مَنْ بَرَزُ وَشَهَرَ السَّلَاحَ مُخِيضًا مُعِيْرًا حَارِجَ الْمِصْرِ بِحَيْثُ لَا يُدْرِكُهُ الْقَوْثُ فَهُو مُحَارِبٌ قَاطِعٌ لِلطَّرِيْقِ جَارِيَةٌ عَلَيْهِ مُحَارِبٌ قَاطِعٌ لِلطَّرِيْقِ جَارِيةٌ عَلَيْهِ مُحَامِمُ هَذِهِ الْآيَةِ. . . . وَقَالَ الْبَعَوِيُ: اللَّمُكَابِرُونَ فِي الْأَمْصَارِ وَاحِلُونَ فِي خُخْمِ هَذِهِ الآيَةِ. . . . وَقَالَ الْبَعَوِيُ: اللَّمُكَابِرُونَ فِي الْأَمْصَارِ وَاحِلُونَ فِي خُخْمِ هَذِهِ الآيَةِ.

They [the jurists] concurred that 'those who wage war and sow corruption in the earth' mentioned in the verse are the brigands, whether they are Muslims or from the non-Muslim citizens. They also agreed that the one who takes up arms for the purpose of spreading fear on the roads outside of the urban areas—as no help can reach there—is an unlawful combatant [muhārib] and brigand who is subject to the rulings contained in this verse. . . . Al-Baghawī said, 'Those who rebel within the urban areas are also subject to the ruling contained in this verse'.²

What we gather from this verse and the interpretations of the exegetes is that those who spread terror within an Islamic state must be eliminated, and those who challenge the authority of the state and take up arms against it will be subject to painful punishments in this life and the Hereafter.

13.3.5 THE KHARIJITES ARE CURSED God says in the Qur'an:

¹ Abū Ḥafṣ al-Ḥanbalī, al-Lubāb fī 'ulūm al-Kıtāb, 7:303.

² Al-Qădī Thanā' Allāh Pānīpatī, Tafsīr al-mazharī, 3:86.

﴿ وَيَفْسِدُونَ فِي ٱلْأَرْضِ أُوْلَئِكَ لَهُمُ ٱللَّفَنَةُ وَلَهُمْ سُوَّةُ ٱلدَّارِ ﴾

'And those who spread corruption on the earth; for them is the curse and the worst abode'."

This verse refers to the Kharijites, as evidenced by the interpretation of the great Companion, Sa'd b. Abī Waqqāş &, who said,

'By the One besides whom there is no other god, they are the Ḥarūriyya [i.e., Kharijites]!'2

The phrase 'corruption on the earth' implies the killing of peaceful citizens and the destruction of wealth and property. Abū Ḥafş al-Ḥanbalī reported,

'As for His statement "... and those who spread corruption on the earth": that is either by inviting to something other than God's religion or committing oppression, such as taking lives, destroying wealth and laying waste the land'.

This interpretation by Abū Ḥafs al-Ḥanbalī (which was also reiterated by al-Rāzī in al-Tafsīr al-kabīr) details that in addition to taking peaceful life and plundering wealth, corruption on the earth includes calling people to heretical beliefs at odds with Islam.

13.3.6 THE KHARIJITES PRESUME THAT THEY ARE PIOUS

The Kharijites of old were fervent in their prayers, fasting and recitation of the Qur'ān, and exceeded the Prophet's Companions in these things. The modern-day Kharijites are no different from

¹ Qur'ān 13:25.

² Al-Qurtubī, al-Jāmi' lı aḥkām al-Qur'ān, 9:314.

³ Abū Ḥafs al-Ḥanbalī, al-Lubāb fī 'ulūm al-Kitāb, 9:425.

their predecessors in this regard. They also appear outwardly pious, and are seemingly observant of Islamic Law. Inwardly, however, they are prey to evils like extremism, radicalism and erroneous beliefs that are detrimental to the Muslim *Umma*, which lead to fighting and killing that badly damage Islam's reputation.

God says,

'Say, "Shall We inform you of those who are the greatest losers with respect to their deeds? It is those whose entire struggle is wasted in the life of this world, but they presume they are doing good".'1

Imam al-Tabarī mentioned in his exegesis that this verse was revealed regarding the People of the Book who abandoned their faith, adopted an evil path and added blameworthy innovations to their religion. A second view mentioned by al-Tabarī states that these losers are the Kharijites, because when Ibn al-Kawā' the Kharijite asked 'Alī & about these losers, 'Alī replied, 'You and your ilk'. One report mentions that Abū al-Tufayl said, 'Ibn al-Kawā' the Kharijite asked 'Alī, "Who are the greatest losers with respect to their deeds?" 'Alī replied, "You, O Ḥārūriyya!"'² Al-Samarqandī says about the same verse,

"Alī b. Abī Ṭālib said, "They are the Kharijites"."3

God also says,

¹ Qur'ān 18:103-104.

² Ibn Jarīr al-Țabarī, *Jāmı* al-bayān, 16:33-34.

³ Al-Samarqandī, Bahr al-'ulūm, 2:364.

'And when it is said to them, "Do not spread corruption on the earth", they say, "We are only reformers". Beware, it is they who truly spread corruption, although they perceive it not', "

and,

(أَفَمَن زُيِّنَ لَهُ سُوءُ عَمَلِهِ فَرَءَاهُ حَسَنًا)

'So [what about him] whose evil action has been made attractive to him and he considers it good?'2

Abū Ḥafş al-Ḥanbalī said,

قَالَ قَتَادَةُ: مِنهُمُ الْحَوَارِجُ الَّذِيْنَ يَسْتَحِلُونَ دِمَاءَ الْمُسْلِمِيْنَ وَأَمْوَالَهُمْ.

'Qatāda said, "Amongst them are the Kharijites who declare lawful the blood and wealth of the Muslims".'3

13.4 The Appearance of the Kharijites During the Time of the Prophet 🚵

The turmoil of the Kharijites began during the time of the Prophet ... Abū Saʿīd al-Khudrī & said,

بَيْنَا النَّبِيُ ﷺ يَفْسِمُ ذَاتَ يَوْمِ قِسْمًا فَقَالَ ذُوالْخُوَيْصِرَةِ، رَجُلٌ مِنْ بَنِي تَمِيْمٍ: يَا رَسُولَ اللهِ، اغْدِلْ. قَالَ: وَيَلْكَ، مَنْ يَغْدِلُ إِذَا لَمْ أَغْدِلْ! فَقَالَ عُمُرُ: إِنْدُنْ لِي فَالْأَصْرِبْ عُنْقَهُ، قَالَ: لَا، إِنَّ لَهُ أَصْحَابًا يَحْقِرُ أَحَدُكُمْ صَلَاتَهُ مَعَ صَلَاتِهِمْ، وَمِيَامَهُ مَعَ صِيَامِهِمْ، يَغْزُفُونَ مِنَ الدَّيْنِ كَمُرُوقِ السَّهُم مِنَ الرَّمِيَّةِ.

'When the Prophet was apportioning the war booty, Dhū al-Khuwayşıra, a man from Banū Tamīm, said, "O Messenger of God! Be just!" The Prophet said, "Woe to you! Who will be just if I am not just?" 'Umar b. al-Khaṭṭāb & said, "[O Messenger of God!] Give me permission to strike his neck!" The Prophet said,

¹ Qur'ān 2:11-12.

² Ibid., 35:8.

³ Abū Ḥafs al-Ḥanbalī, al-Lubāb fī 'ulūm al-Kitāb, 13:175.

"Leave him, for he has compatriots; and you will belittle your prayers and fasting in comparison to theirs, but they shall pass through the religion just as an arrow passes through a hunted game"."

13.5 THE LEGACY OF THE KHARIJITES BEGAN WITH DISRESPECT TO THE PROPHET .

It was Dhū al-Khuwayşira's disrespect to the Prophet that laid the foundation for one of the worst trials faced by the *Umma*. And the militants and rebels who revolted against the authority of 'Uthmān and 'Alī were a continuation of the evil precedent set by Dhū al-Khuwayşira.

Imam Abū Bakr al-Ājūrrī wrote about this issue in his book Kitāb al-sharī a and penned a chapter called, 'On the Condemnation of the Kharijites and Their Evil Way, and the Permissibility of Killing them, and the Reward for the One Who Either Kills them or is Killed By Them'. In it he stated:

The first of them to appear was during the time of the Messenger of God, and he was a man who accused the Prophet of injustice as he apportioned the war booty at Ja'rāna. He said, 'O Muhammad! Be just, for I don't think you are acting fairly'. So the Messenger of God replied, 'Woe to you! Who will be just if I am not just?'

¹ Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kitāb al-adab [The Book of Good Manners], chapter: 'What Has Come to Us About Someone Saying, "Woe to you!", 5:2281 §5811, and Kitāb istitāba al-murtaddīn wa al-mu'ānidīn wa qitālihim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'On the One Who Refrains from Fighting the Kharijites for the Sake of Drawing Hearts Near and so People Will Not Flee', 6:2540 §6534; and Muslim in al-Ṣaḥīḥ: Kitāb al-Zakāt [The Book of Zakat], chapter: 'On the Kharijites and Their Qualities', 2:744 §1064.

Ibn Ḥajar al-'Asqalānī mentioned a report from 'Abd al-Razzāq al-Şan'ānī who said,

'Dhū al-Khuwayşira al-Tamīmī's real name was Ḥurqūş b. Zuhayr and he was the founder of the Kharijites'.'

Thus, the later-day Kharijites had the same mindset as their founder. Badr al-Dīn al-'Aynī writes,

قَالَ اللَّهَبِيُّ: ذُو الْخُونِصِرَةِ الْقَائِلُ، فَقَالَ: يَا رَسُولَ اللهِ، إِغْدِلْ. يُقَالُ لِهُوَ خُرْقُوصُ بْنُ زُهْنِرٍ، زَأْسُ الْخَوَارِجِ، قُبِلَ فِي الْخَوَارِجِ يَوْمَ النَّلْمِرِ. . . . وَفِي نَفْسِمْرِ الثَّقَالِيِّ: بَيْنَا رَسُولُ اللهِ هِيْ يَفْسِمُ غَنَائِمَ هَوَازِنَ، جَاءَهُ ذُو الْخُوَيْصِرَةِ الثَّبْهِيُّ، أَصْلُ الْخَوَارِج.

Al-Dhahabī said, 'Dhu al-Khuwayşira, the one who said, "O Messenger of God! Be just", is said to be Ḥurqūş b. Zuhayr, and he was the head of the Kharijites and was amongst the Kharijites who were slain during the Battle of al-Nahr...² In the exegesis of al-Tha'labī it is mentioned that 'when the Messenger of God was apportioning the war booty of Hawāzin, Dhū al-Khuwayşira al-Tamīmī, the head of the Kharijites, came to him...'3

13.6 THE IDEOLOGICAL DEVELOPMENT OF THE KHARIJITES DURING THE REIGN OF 'UTHMAN B. 'AFFAN &

Many disruptions erupted in the *Umma* after the passing of the Prophet . They include false claims to prophethood, apostasy, refusal to pay Zakat and rejection of several other basic teachings of Islam. Those who embraced the beliefs of the Kharijites promoted their warped understanding, exploited these disruptions and began organizing themselves. Those who actively hatched the conspiracy against 'Uthmān, and ultimately killed him in the final

¹ Ibn Ḥajar al-ʿAsqalānī, *Fath al-Bārī*, 12:292; and *al-Iṣāba fī tamyīz al-Ṣahāba*, 2:49.

² Badr al-Dīn al-'Aynī ın 'Umdat al-qārī, 15:62.

³ Ibid., 16:142.

days of his rule, were composed of those who held the extremist beliefs of the Kharijites. The most prominent of them was one 'Abd Allah b. Saba. This was the first time an extremist and terrorist group challenged the authority of the Islamic state.

Imam al-Ḥākim mentioned an episode of Ḥusayn b. Khārija, who said.

لَمُ كَانَ الْفِتْنَةُ الْأُولَى أَشْكِلْتُ عَلَىٰ فَقُلْتُ: اللّٰهُمْ أَرِنِي أَمْرًا مِنْ أَمْرِ الْحَقِّ أَتَمْسُكُ
هِ. قَالَ: فَأَوْنِتُ الدُّنِهَا وَالْآخِرَةَ وَنَيْنَهُمَا حَايِطٌ غَيْرٌ طَوِيْلٍ، وَإِذَا أَنَا بِحَايِرٍ فَقُلْتُ:
لَوْ تَشْبُلْتُ بِهَذَا الْجَائِرِ لَعَلَى أَهْبِطُ إِلَى قَتْلَى أَشْجَعَ لِيُخْبِرُونِي. قَالَ: فَهَبَطْتُ بَارْضِ فَلْتُ: الشَّمُ الشُّهَدَاءُ؟ قَالُوا: لَا تَحْنُ الْمَكَرِكُةُ.
فَلْتُ: فَأَيْنَ الشُّهَدَاءُ؟ قَالُوا: تَقَدَّمْ إِلَى الدُّرَجَاتِ الْهُلَى إِلَى مُحَمَّدٍ هَيْنِهِ، فَتَقَدَّمْتُ فَلَتُ: فَايْنَ الشَّهَ وَالْمَرْمِيْمُ عَلَيْهِ، فَتَقَدَّمْتُ وَهُولَ الْاَرْجَاتِ الْهُلَى إِلَى مُحَمَّدٍ هَيْنِهِ، فَتَقَدَّمْتُ وَهُولَا أَنَا بِمُحَمِّدٍ هِيْنِهِ وَإِبْرَاهِيْمُ عَلَيْهِ، وَقَدَّمُونَ لِلْمُنِي، فَقَالَ لَهُ إِبْرَاهِيْمُ عَلَيْهِ: إِنِّكَ لَا تَذْرِي مَا أَخْذُوا بَعْدَكَ؟ أَرَاهُوا دِمَاءَهُمْ وَقَتْلُوا إِمَامَهُمْ، أَلَا فَعَلُوا كَمَا فَعَلَ حَلِيلِي سَعْد. أَرَاهِي قَدْ أُرْبُقُ مُ الْمُعَلِي سَعْد. فَقَالَ ثَمْ اللهُ فَعَلُوا كَمَا فَعَلَ حَلِيلِي سَعْد. فَلْتُونُ مَعْهُ فَاتَشِهُمْ أَرَاهِيمُ عَلَيْهِ الْوَلِيقِ عَلْكُ أَرْبُقُ الْمُؤْمِنِ فَاللّهُ عَلَى اللّهُ وَمُؤَالَ قَدْ شَقِي مَنْ لَمْ يَكُنُ لُهُ إِبْرَاهِيمُ عَلَيْهِ عَلَى الشَّوْمِيْمُ فَلَكُ إِنْ الطَّافِقَتِيلُ فِيقًا حَلَى اللْهُ عَلَى اللّهُ عَلَى اللّهُ عَلَى اللّهُ فَاللّهُ عَلَى اللّهُ عَلَى الللّهُ عَلَى اللّهُ الْمُؤْمِنِ اللّهُ اللّهُ اللّهُ عَلَى اللّهُ اللّهُ اللّهُ اللّهُ عَلَى اللّهُ اللللّهُ اللّهُ
'During the first outbreak of turmoil, I was confused, so I said, "O God! Show me something of the truth that I may hold fast to it". So I was shown the world and the Hereafter [in a dream], and there was a wall between the two that was not very tall and suddenly I was over it. I said, "If I continue to be suspended over this, I might fall upon those slain at Ashja', so they can inform me". So I descended on to a land, green and fresh with vegetation, and there was a group sitting, whom I asked, "Are you martyrs?" They said, "No, we are angels". I said, "So

where are the martyrs?" They said, "Go towards the higher levels up to the Prophet Muhammad ... Then I advanced until I reached a level, and its beauty and vastness was indescribable. Upon reaching this level, suddenly I saw the Prophet Muhammad A and Abraham and he [Muhammad] was saving to Abraham, "Seek forgiveness for my Umma". Abraham said to him, "You do not know what blameworthy things they did after you. They shed their blood and killed their ruler: why don't they do what my friend Sa'd did?" I said to myself that what God has shown me leads me to visit Sa'd. So I went to him and told him my dream. He felt glad and said, "Wretched is he who does not have Abraham as a friend!" I asked him, "So to which of the two factions do you belong?" He replied, "I am with neither". Then I asked him, "So what is your advice to me?" He said, "Do you have any cattle?" I said, "No". He said, "Go and buy some cattle and withdraw until things become clear"."

In Ibn 'Abd al-Barr's al-Tamhīd' and Ibn Hajar's al-Iṣāba' there is described what has been called the 'first tribulation', which is the turmoil that ensued when 'Uthmān & was assassinated. The people of sedition divided into two groups and were the ones who initiated bloodshed and added blameworthy innovations to the religion. It was that band of extremists who laid down the foundation for the Kharijites after the Battle of Şiffīn during the reign of 'Alī &.

13.7 THE KHARIJITES DURING THE REIGN OF 'ALT B. ABI TALIB 🔏

The major objective of the Kharijites is to destabilize the foundations of the Muslim state in the name of the religion. When

¹ Narrated by al-Ḥākım in al-Mustadrak, 4:499 \$8394; and cited by Ibn 'Abd al-Barr in al-Tamhīd, 19:222; and al-Dhahabī in Styar a'lām al-nubalā', 1:120.

² Cited by Ibn 'Abd al-Barr in al-Tamhīd, 19:222.

³ Ibn Ḥajar al-'Asqalānī, al-Iṣāba fī tamyīz al-Ṣaḥāba, 2:172 §1979.

we look critically at the history of the Kharijites, we see that theirs was a violent movement that was against dialogue and peaceful settlement of disputes, such as the policy that 'Alī , the fourth Rightly Guided Caliph, adopted in the form of arbitration before the Battle of Siffin. As long as the clamour of war prevailed, the Kharijite elements in 'Alī's army were active, but the moment he decided to seek arbitration for the sake of avoiding further bloodshed, they rejected his decision and deserted his troops. Calling him a disbeliever, they organized a terrorist rebellion group and rose against him and the Muslim *Umma* in the name of jihad. When they organized themselves, their motto and call was, 'There is no judgement but for God'. When 'Alī heard their slogan he said,

كَلِمَةُ حَقٌّ أُرِيْدَ بِهَا بَاطِلٌ.

'A word of truth by which falsehood is intended'. I

In some collections 'Alī is reported to have said,

'If they are quiet we will overwhelm them, and if they speak we will talk to them with logic, and if they rebel against us we will fight them'.²

The Kharijites initiated an armed rebellion against 'Alī and based themselves in Ḥarūrā, located on the Iraqi border. They accused him of polytheism and blameworthy innovations and declared him a disbeliever and rebelled against him. This would prove to be the start of their mass killing and terrorism. They argued,

^I Narrated by Muslim in al-Şahīh: Kitāb al-Zakāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:749 \$1066; al-Nasā'ī in al-Sunan al-kubrā, 5:160 \$8562; Ibn Abī Shayba in al-Muşannaf, 7:557 \$37907; and al-Bayhaqī in al-Sunan al-kubrā, 8:171 \$16478.

² Ibn al-Athīr, al-Kāmil fī al-tārīkh, 3:212–213; al-Ṭabarī, Ṭārīkh al-umam wa al-mulūk, 3:114.

272 | FATWA ON TERRORISM AND SUICIDE BOMBINGS

'Do you seek judgment from men in that which is God's command? There is no judgment but for God!'

A leader of Kharijites, Yazīd b. 'Āṣim al-Muḥāribī, delivered a sermon, saying,

الْحَمْدُ لِلَٰهِ غَيْرَ مُوَدَّعٍ رُبِّنَا وَلَا مُسْتَغَنِ عَنْهُ. اللَّهُمُّ إِنَّا نَعُودُ بِكَ مِنْ إِعْطَاءِ الدَّنِيَّةِ فِي دِنِينَا، فَإِنَّ إِعْطَاءَ الدَّنِيَّةِ فِي الدِّيْنِ إِذْهَانَ فِي أَمْرِ اللهِ، وَذُلِّ رَاحِةً بِأَهْلِهِ إلَى سَحَطِ اللهِ. يَا عَلِيُّ، أَبِالْقَتْلِ تُحَوِّفُنَا؟ أَمَا وَاللهِ، إِنِّى لَأَرْجُو أَنْ نَصْرِبَكُمْ بِهَا عَمَّا قَلِيْلٍ غَيْرٍ مُصَمَّحَاتٍ، ثُمَّ لَتَعْلَمُ أَيِّنَا أَوْلَى بِهَا صَرِكًا.

'All praise is for God alone. We cannot give it up. O God! We seek refuge from any weakness or fawning flattery in matters of the religion, because that brings humiliation, which will lead to God's wrath. O 'Alī! Would you have us fear death? Beware! By God, I hope that we will kill you with the edge of the sword. Then, you will come to know who amongst us deserves torment the most!'²

Similarly, another leader of the Kharıjıtes said in his sermon, أُخْرُجُوا بِنَا مِنْ هَذِهِ الْقُرْيَةِ الطَّالِمِ أَهْلُهَا إِلَى بَعْضِ كُوَرٍ الْجِبَالِ أَوْ إِلَى بَعْضِ هَذِهِ الْمَدَائِنِ مُنْكِرِيْنَ لِهَذِهِ الْمِدَعِ الْمُصِلَّةِ.

'Leave with us and let us abandon this city of oppressors and head for the mountains or some of the other cities, while detesting these blameworthy and misguided innovations'.³

When the prominent leaders of the Kharijites gathered in the house of Shurayh b. Awfā al-'Abasī, Ibn Wahb said, addressing the gathering,

إِشْخَصُوا بِنَا إِلَى بَلْدَةٍ نَجْتَمِعُ فِينَهَا لإِنْفَاذِ خُكْمِ اللهِ، فَإِنَّكُمْ أَهْلُ الْمُحَقِّ.

¹ Ibn al-Athīr, al-Kāmil fī al-tārīkh, 3:196.

² Ibid., 3:313.

³ Ibid., 3:313-314.

'Let us come together and head for a land where we will carry out the law of God, for you are the people of the truth'. I

In their response to 'Alī's letter addressed to them, the Kharijites wrote,

إِلَّكَ لَمْ تَفْصَبُ لِرَبِّكَ وَإِنَّمَا غَضِبْتَ لِنَفْسِكَ، فَإِنْ هَهِدْتَ عَلَى نَفْسِكَ بِالْكُفْرِ وَاسْتَقْبَلْتَ الثَّوْبَةَ، نَظَرُنَا فِيْمَا بَيْنَنَا وَبَيْنَكَ، وَإِلَّا فَقَدْ نَبَذْنَاكَ عَلَى سَوَاءِ أَنَّ اللهَ لَا يُحِبُ الْحَالِيْسُنَ.

'Indeed, you were not angry for the sake of your Lord; you were angry for the sake of your ego. Now, if you confess that you fell into disbelief and repent, we will look into the matter that is between you and us; otherwise, we reject you, and indeed, God does not love the deceitful'.²

This letter and the sermons by the Kharijites indicate that, in their opposition to 'Alī, they considered themselves to be the paragons of righteousness and truth and considered 'Alī a purveyor of polytheism and blameworthy innovation (and God's refuge is sought from such a notion!). They were so earnest in their hatred of polytheism and blameworthy innovation that they deserted 'Alī's city and claimed that it was an abode of disbelief. They would take to the mountains and wastelands and ambush travelers and they would catch hold of their opponents and torture them to death.

Later, 'Alī formed an army of Companions to launch military offensives against them in order to eliminate them completely and restore peace and security and establish the authority of the government. They were finally defeated as the Prophet had prophesied and ordered. Imam Muslim and others reported from Zayd b. Wahb al-Juhanī, who was amongst 'Alī's army that fought against the Kharijites:

¹ Ibid.

² Ibid., 3:217.

قَالَ عَلِي عَلِيْ اللّهِ النَّاسُ، إِلَي سَمِعْتُ رَسُولَ اللهِ فَلِيْ يَقُولُ: يَخْرُجُ قَوْمٌ مِنْ أُمْتِي يَغْرُءُونَ اللّهِ وَلا صَلَاكُمْ إِلَى صَلَابِهِمْ بِشَيء، وَلا صَلاَكُمْ إِلَى صَلَابِهِمْ بِشَيء، وَلا صَلاَكُمْ إِلَى صَلابِهِمْ بِشَيء، وَلا صَلائكُمْ إِلَى صِيَامِهِمْ بِشَيء، يَقْرَءُونَ الْقُرْآنَ يَحْسِبُونَ أَلَّهُ لَهُمْ وَهُوَ عَلَيْهِمْ، لا تُجَاوِزُ صَلائهُمْ وَرَاقِيهُمْ، يَمْرُقُونَ مِنَ الْإِسْلامِ كَمَا يَمْرُقُ السّهُمْ مِنَ الرُّمِيَّةِ. لَوْ يَعْلَمُ الْجَيْشُ اللّهِينَ يُصِيعُونَهُمْ مَا قَطْنِي لَهُمْ عَلَى لِسَانِ نَبِيهِمْ فَيْ لاَتّكُلُوا عَنِ الْعَمَلِ وَآيَةُ ذَلِكَ أَنَّ فِيهِمْ رَجُلًا لَهُ عَصْدُ وَلَيْسَ لَهُ فِرَاعٌ عَلَى رَأْسِ عَصْدِهِ مِثْلُ حَلَمَةٍ الشَّذِي وَآيَةُ وَلَكُمْ اللّهُ مَنْ اللّهُ وَاللّهُ مَنْ مَوْلِهُ وَلَهُ إِللّهُ مَنْ اللّهُ وَاللّهُ مَا مَنْ اللّهُ وَاللّهُ وَاللّهُ مَا مَا اللّهُ مَا وَاللّهُ مَا اللّهُ مَا وَاللّهُ مَا مُؤْلِمُ وَاللّهُ مَا اللّهُ مَا وَاللّهُ مَا وَاللّهُ مَا وَاللّهُ مَا اللّهُ مَا وَاللّهُ مَا وَاللّهُ مَا وَاللّهُ مَا وَاللّهُ مَا وَاللّهُ وَاللّهُ مَا وَاللّهُ مَا وَاللّهُ مَا وَاللّهُ مَالِكُ وَاللّهُ وَاللّهُ مَا وَاللّهُ مَا وَاللّهُ مَا وَاللّهُ وَاللّهُ مَا وَاللّهُ مَا وَاللّهُ مَا وَاللّهُ مَا وَاللّهُ مَا وَاللّهُ وَاللّهُ وَاللّهُ وَاللّهُ وَاللّهُ مَا وَاللّهُ وَاللّهُ وَاللّهُ وَاللّهُ وَاللّهُ وَاللّهُ وَلَا مُؤْلِمُ وَاللّهُ وَلَا مَاللّهُ وَاللّهُ وَاللّهُ وَلَا اللّهُ وَاللّهُ وَالْعَالِ اللّهُ وَاللّهُ وَاللّهُ وَاللّهُ وَاللّهُ وَلَا اللّهُ وَاللّهُ وَاللّهُ وَلَا اللّهُ وَاللّهُ وَلَهُ مَلْ اللّهُ وَلَا مُعْلِمُ اللّهُ وَلَا مَاللّهُ وَاللّهُ وَاللّهُ وَاللّهُ وَلِهُ وَاللّهُ وَلَا لِللّهُ وَلَا مِنْ اللّهُ وَاللّهُ وَاللّهُ وَلّهُ وَلَا اللّهُ وَلّهُ وَلّهُ وَلّهُ وَلَا اللّهُ وَلَا الللّهُ وَلَا الللّهُ وَلَا لَاللّهُ وَاللّهُ وَاللّهُ وَلَا الللّهُ وَلّهُ وَاللّهُ وَلّهُ وَلَا لَلْهُ وَلَا لَلْهُ الللّهُ وَلَا لَللّهُ وَلَا لَا لَلْهُ وَلّهُ وَلّهُ وَلّهُ وَلَا لَاللّهُ وَلّهُ وَلَا لَللّهُ وَلَا لَاللّهُ وَلَا لَاللّهُ وَلَا مُؤْلِمُ وَلّهُ وَلَا مِلْكُونُ وَلّهُ مَا لِلللّهُ وَلَا مُؤْلِمُ وَاللّهُ وَ

قَالَ سَلَمَةُ بْنُ كُهُنُلٍ فَنَوْلِي زَيْدُ بْنُ وَهْبِ مَنْوِلا حَتَى قَالَ مَرَزَنَا عَلَى قَنْطَرَةً فَلَقا الْتَعْبَ وَعَلَى الْنَاسِيقُ فَقَالَ لَهُمْ: أَلَّهُوا الرَّعَاجُ وَسُلُوا سُيُوفَكُمْ مِنْ جَفُونِهَا فَإِنِّي أَحَافُ أَنْ يُنَاشِدُوكُمْ كَمَا نَاشَدُوكُمْ يَوْمَ حَرُوزَاءَ، وَسُلُوا سُيُوفَكُمْ مِنْ جَفُونِهَا فَإِنِّي أَحَافُ أَنْ يُنَاشِدُوكُمْ كَمَا نَاشَدُوكُمْ يَوْمَ حَرُوزَاء، فَرَحْمُوا فَوَحَدُوا بِرِمَاحِهِمْ وَسَلُوا السُيُوفَ وَشَجَرَهُمُ النَّاسُ بِرَمَاحِهِمْ. قَالَ: وَقُتِلَ بَعْضَهُمْ عَلَى يَغْضِ وَمَا أَصِيبَ مِنَ النَّاسِ مِنْ أَصْحَابِ عَلِي يَوْمِنِدٍ إِلَّا رَجُلَانِ. فَقَالَ عَلَى يَعْضُهُمْ عَلَى يَعْضُوهُ فَلَمْ يَجِدُوهُ، فَقَامَ عَلِي يَعْنِ بِنَفْسِهِ عَلَى نَعْضُهُمْ عَلَى يَعْضُوهُ فَلَمْ يَجِدُوهُ، فَقَامَ عَلِي يَعْنِ بِنَفْسِهِ عَلَى اللهُ اللهِ عَلَى اللهُ اللهُ اللهِ عَلَى اللهُ اللهُ اللهُ اللهُ اللهُ عَلَى اللهُ اللهِ عَلَى اللهُ اللهِ عَلَى اللهُ اللهِ عَلَى اللهُ اللهِ اللهِ اللهُ اللهُ اللهُ اللهُ اللهُ اللهُ اللهُ اللهِ اللهُ الله

"Alī said, "O people! Indeed, I heard God's Messenger say, 'There shall be a folk that comes from my *Umma* and they will recite the Qur'an—your recitation will not be comparable to theirs, or your prayers or your fasting to theirs. They will recite the Qur'an and believe it supports them but [in reality] it is against them. Their prayers will not go past their throats, and they shall exit from

the religion just as an arrow exits from a hunted game. If only the army who encounters them knew what has been decreed for them upon the tongue of their Prophet . they would rely on it land cease doing other deeds]. Their [i.e., the Kharijites'] distinctive sign is that there is a man amongst them, one of whose arms is like a woman's breast, or a piece of meat palpitating and with some white hairs'. ['Ali continued: You will be marching towards Mu'awiya and the inhabitants of the Levant and will leave these folk behind amongst your children and properties! By God, I most certainly hope that they are these people [mentioned in the hadith], for they have shed inviolable blood and raided the people's belongings. So go forth [against them] in the name of God".'

Salama b. Kuhayl said, "Zayd b. Wahb took me to a place in which to stay until we crossed the bridge, 'Abd Allāh b. Wahb al-Rāsibī was the head of the Kharijites on that day and he said to his army, 'Cast down your spears and unsheathe your swords, for I fear that they will attack you as they attacked you on the Day of Hārūrā".' So they cast down their spears, drew their swords, and people fought them with spears until they were killed. Only two soldiers of 'Alī's army were killed on that day, 'Alī & said, 'Search for the maimed one [Dhū al-Khuwaysira] amongst the slain'. They searched but did not find him. 'Alī then stood up and [walked] until he came upon a pile of bodies from the enemy. He ordered, 'Search them'. They removed the bodies and found him at the bottom of the pile, 'Alī & then cried out, 'God is the Greatest! God spoke the truth and His Messenger conveyed the message!' Then there stood before him 'Ubayda al-Salmani who said, 'O Commander of the Faithful! By God, besides whom there is no other god. Did you hear this [description] from the Messenger of God ? 'Alī replied, 'Yes, by God, besides whom there is no other god'. 'Ubayda sought an oath from him three times and each time he swore by God".'

There are other related hadith reports that describe this man's handicap as a distinguishing mark. In one report it mentions that he would be of dark complexion and have a hand like a women's breast. In that report it states that when our master 'Alī defeated them, he said, 'Search for the one with this sign'. When they continued to look and could not find him, 'Alī said twice or thrice, 'By my Lord! I have neither lied nor been told something false'. The people eventually found the body in a barren place and brought it before 'Alī. 'Ubayd Allāh—the narrator—said, 'I was with 'Alī the entire time and his statement was regarding the Kharijites'."

Jundub b. 'Abd Allāh 🎄 said,

لَمَّ فَارَقْتِ الْمَوَارِجُ عَلِياً عِلَىٰ حَرَجَ فِي طَلَبِهِمْ وَحَرَجْنَا مَعَهُ، فَالْتَهَهْنَا إِلَى عَسْكُو الْقَرْمُ فَإِذَا الْهُرَانِ، وَفِيْهِمْ أَصْحَابُ اللَّهِنَاتِ وَأَصْحَابُ الْمُرَانِسِ، فَلَمّا رَأَيْتُهُمْ دَحَلَنِي مِنْ ذَلِكَ شِدَّةً، فَتَنَحَيْثُ فَرَكُوْثُ رُمْحِي وَأَصْحَابُ الْمُرَانِسِ، فَلَمّا رَأَيْتُهُمْ دَحَلَنِي مِنْ ذَلِكَ شِدَّةً، فَتَنَحَيْثُ فَرَكُوثُ رُمْحِي وَأَنَا أَقُولُ فِي صَلَاحِي: اللّٰهُمْ إِنْ كَانَ قِتَالُ هَوْلاءِ اللّهَوْمِ لَكَ فَقَمْتُ أُصَلِّي إِلَى رُمْحِي وَأَنَا أَقُولُ فِي صَلَاحِي: اللّهُمْ إِنْ كَانَ قِتَالُ هَوْلاءِ اللّهْوَمِ لَكَ طَاعَةً، فَأَذَنُ لِي فِيهِ، وَإِنْ كَانَ مَعْصِيةً فَأَرِي بَرَاءَتَكَ. فَأَنَا كَذَلِكَ إِذَا أَقْبَلَ عَلِي بُولُو اللّهِ عَلَيْهِ فَلَمْ يُصَلّي إِذَا أَقْبَلُ رَجُلُ عَلَى بِرُدُونِ أَي طَلْكِ عِلْى عَلَى بَعْلَةٍ رَسُولِ اللهِ عِيْقِ فَلَمُا حَاذَانِي قَالَ: تَعَوَّذُ بِاللّهِ يَا جُنْدُبُ، مِنْ شَرِّ الشَّكَ. فَقَالَ: يَا أَمِينَ الْمُؤْمِنِيْنَ. قَالَ: مَا شَأَنْكَ؟ قَالَ عَلَى بِرُدُونِ عَلَى بِحُدُونُ اللّهُ عَلَى اللّهُ عَلَيْهِ اللّهُ وَمَا فَالَ عَلَى بِرَدُونِ اللّهُ عَلَى اللّهُ عَلَى اللّهُ عَلَى اللّهُ اللّهُ عَلَيْهُ عَلَى اللّهِ عَلَى اللّهُ عَلَى اللّهُ عَلَى اللّهُ عَلَيْهُ اللّهُ وَعَلَى اللّهُ عَلَى اللّهُ اللّهُ اللّهُ عَلَى عَلَى اللّهُ عَلَى اللّهُ وَمَا فَالَ عَلَى عَلَى اللّهُ عَلَى عَلَى عَلَى اللّهُ عَلَى عَلَى عَلَى عَلَى عَلَى اللّهُ عَلَى عَلَى عَلْكُ عَلَى عَلَى عَلَى عَلَى عَلَى اللّهُ عَلَى عَلَى اللّهُ عَلَى عَلْمُ اللّهُ عَلَى عَلَ

¹ Narrated by Muslim in al-Ṣaḥīḥ: Kitāb al-Zakāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:748 §1066; Abū Dāwūd in al-Sunan: Kitāb al-Sunna, chapter: 'On Fighting the Kharijites', 4:244 §4768; al-Nasā'ī in al-Sunan al-kubrā, 5:163 §8571; Ahmad b. Hanbal in al-Musnad, 1:91 §706; 'Abd al-Razzāq in al-Muṣannaf, 10:147; and al-Bazzār in al-Musnad, 2:197 §581.

وَلا يَفْطَعُوهُ، وَلَيْقَتَانَ دُونَهُ عَهْدٌ مِنَ اللهِ تَعَالَى وَرَسُولِهِ فَلِيْهِ. فُمْ رَجِب، فَقَالَ لِي: يَا جُدُب، أَمَّا أَنَا فَابَعْتُ إِلَيْهِمْ رَجُلا يَفْرَأُ الْمُصْحَف، يَدْعُو إِلَى كِتَابِ رَبِّهِمْ وَسُنْةٍ لَيَهِمْ، فَلَا يُفْبِلُ عَلَيْنَا بِوَجْهِهِ حَتَّى يَرْشُقُوهُ بِالنَّبِلِ، يَا جَنْدُب، أَمَّا أَلَّهُ لَا يُفْتَلُ مِنَا عَشَرَةً وَلا يَنْجُو مِنْهُمْ عَشَرَةً. ثُمْ قَالَ: مَنْ يَأْخُذُ مَذَا الْمُصْحَفَ فَيَمْشِي بِهِ إِلَى عَلَيْء الْقُومَ وَنِهُمْ وَهُو مَفْتُولٌ وَلَهُ الْجَنَّةُ فَلَمْ يُجِئهُ وَهُو مَفْتُولٌ وَلَهُ الْجَنَّةُ وَلَمْ يُعِينَا عَلَيْ يَشِيء الله الله عَلَى عَلَيْ عَلَيْ عَلَى الْمُعْتَفِيلُ عَلَيْنَا المُعْتَفِى اللّهُ إِلَى الْقُومُ، فَلَمّا ذَنَا مِنْهُمْ حَبْثُ سَمِعُوا قَامُوا وَنَشَبُوا الشَّالُ يَمْتِي اللّهُ مِنْ مَنْ مَنْ إِلَى الْقُومُ، فَلَمّا ذَنَا مِنْهُمْ حَبْثُ سَمِعُوا قَامُوا وَنَشَبُوا اللّهُ اللّهُ وَاللّهُ وَمَاهُ إِلْسَانٌ، فَأَقْبَلُ عَلَيْ عَلِي عَلَيْ وَبِهِ اللّهُ اللّهُ عَلَى اللّهُ اللّهُ عَلَى اللّهُ عَلَى اللّهُ وَلَا عَلَى اللّهُ وَلَى اللّهُ عَلَى اللّهُ وَسَالًا وَلَعْ عَلَيْ اللّهُ عَلَى اللّهُ اللّه عَلَى اللّهُ عَلَى اللّهُ اللّهُ وَلَا عَلَى عَلَى اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ وَلَا عَلَى اللّهُ عَلَى عَلَى اللّهُ عَلَى الللّهُ اللّهُ عَلَى الللّهُ عَلَى اللّهُ عَلَى اللّهُ عَلَى اللّهُ عَلَى اللّهُ عَلَى اللّهُ وَلَا عَلَى اللّهُ اللّهُ اللّهُ اللّهُ وَلَا عَلَى اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ عَلَى اللّهُ اللّهُ اللّهُ وَلَا عَلَى عَلَى الللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ وَلَا عَلَى اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ الللّهُ الللّهُ اللّهُ الللّهُ اللّهُ اللّهُ اللّهُ اللّهُ عَلْمُ اللّهُ اللّهُ الللللّهُ الللّهُ الللّهُ اللّهُ اللّهُ اللّهُ اللّهُ الللّهُ اللّهُ اللّهُ اللّهُ اللّهُ الللّهُ اللّهُ
'When the Kharnites seceded from 'Alī, he went out in pursuit of them and we went with him. When we reached their troops, we heard a loud recitation of the Qur'an that sounded like the buzzing of bees. Amongst them were some wearing loin cloths and mantles, and seeing them in that state [of ostensible piety], I had mixed feelings about fighting against them. I stuck my spear into the ground, dismounted from my steed, took off my mantle and spread it out and placed my armour on it. I then took my steed by the reigns and started praying towards my spear (as a barrier). During my prayer I said, "O God! If it is obedience to You to fight these folk, then give me permission to do it; and if it is disobedience, then show me a sign of Your disapproval". As I was in that state of entreaty, suddenly, 'Alī b. Abī Tālib came, riding the Prophet's mule. After he came close to me he said, "O Jundub! Seek refuge with God from the evil of doubt!" I then hastened to come closer to him, but he dismounted and began to pray. Suddenly, someone on a galloping horse approached and said, "O Commander of

the Faithful!" 'Alī said, "What is the matter?" The rider said, "They have all crossed the stream and got away". I said, "God is the Greatest". 'Alī said, "They have not crossed it, and will not do it. It is the promise of God and His Messenger that they will be killed". Then he mounted his steed and said, "O Jundub! I shall send someone to them who will recite the Qur'an to them and invite them to the Book of their Lord and the Sunna of their Prophet . He will not turn to us [to signal the attack] until they shoot arrows at him. O Jundub! Less than ten will be slain amongst us and less than ten will survive amongst them". Then he said, "So who will take this copy of the Our'an to those folk and invite them to the Book of their Lord and the Sunna of their Prophet and and get killed and earn Paradise?" No one responded to his call except a young man from Banu 'Amir b. Sa'sa'. 'Alī said to him, "Take [this copy of the Qur'an]". And so the young man took it and 'Alī said to him, "You will be killed and will not turn to us until they shoot you with arrows". The young man walked towards the encampment of the folk, carrying a copy of the Qur'an. When he reached a place where they could hear, one of them shot him with an arrow. He then turned towards us and sat down. 'Alī then said, "Now attack them". I killed eight of them with this hand of mine before I prayed the Afternoon Prayer and less than ten amongst us were slain and less than ten amongst them survived'.1

As you see, Jundub was affected by the ostensible piety, asceticism and worship of the Kharijites. Despite that, all their distinguishing marks that 'Alī told of proved true.

Tāriq b. Ziyād said,

خَرَجْنَا مَعَ عَلِيٍّ عِلِيٍّ إِلَى الْحَوَارِجِ فَقَتَلَهُمْ، ثُمَّ قَالَ: انْظُرُوا فَإِنَّ نَبِيَّ اللهِ ﷺ قَالَ:

¹ Narrated by al-Țabarānī in *al-Mu'jam al-awsat*, 4:227 \$4051; and cited by al-Haythamī in *Majma*° *al-zawā'ul*, 4:227; Ibn Ḥajar al-ʿAsqalānī in *Fath al-Bārī*, 12:296; and al-Shawkānī in *Nayl al-awṭār*, 7:349.

إِنَّهُ سَيَغْرُعُ فَوَمْ يَتَكَلَّمُونَ بِالْحَقِّ لِا يُجَاوِزُ حَلَقَهُمْ، يَخْرُجُونَ مِنَ الْحَقِّ كُمَا يَخْرُجُ السَّهُمْ مِنَ الرَّبِيَّةِ، سِيْمَاهُمْ أَنَّ فِيْهِمْ رَجُلًا أَسْوَدَ مُخْدَجَ الْذِبِ، فِي يَدِهِ شَعَرَاتُ إِنْ كَانَ هُوَ فَقَدْ فَتَلْتُمْ شَرَّ النَّاسِ وَإِن لَمْ يَكُنْ هُوَ فَقَدْ فَتَلْتُمْ خَيْرَ النَّاسِ. فَبَكَيْنَا. ثُمُ قَالَ: اطْلُبُوا. فَطَلْبَنَا، فَوَجَدْنَا الْمُخْدَجَ، فَخَرْزَنَا سُجُودًا وَخَرْ عَلِيِّ عِلَىٰ مَعَا.

'We went out with 'Alī & to pursue the Kharijites and he slew them. Then he said, "Take a close look, for the Prophet of God said, 'There shall emerge a folk who speak the truth but it will not pass their throats. They shall leave the truth just as an arrow exits a hunted game. Their distinguishing trait is that there is amongst them a man of dark complexion with a deformed hand with black hairs on it'. If it is him, then you have killed the most evil of the people, and if it is not, then you have killed the best of the people". We then began to cry and then he said, "Look for him". We looked for him and found him with a deformed hand, so we fell into prostration [in gratitude] and 'Alī & prostrated with us'."

13.8 THE BELIEFS OF THE KHARIJITES

The preceding discussion has shown us that sometimes crooked and short-sighted people emerge in society with compound ignorance concerning the wisdom and vision of the religion. They strictly observe the outward religious acts, which in turn instil them with the conceited belief that they are staunch Muslims and true embodiments of Islam. They feel themselves near to God and consider all others either disbelievers or disobedient. They believe it is their right to force others to adhere to the path of righteousness and they forget God's words,

(أَدْعُ إِلَىٰ سَبِيلِ رَبُّكَ بِالْحِكْمَةِ وَالْمَوْعِظَةِ الْحَسَنَةِ)

¹ Narrated by al-Nasā'ī in al-Sunan al-kubrā, 5:161 §8566; Aḥmad b. Ḥanbal in al-Musnad, 1:107 §848, and Fadā'il al-Ṣahāba, 2:714 §1224; and cited by al-Khaṭīb al-Baghdādī in Tārīkh Baghdād, 14:362 §7689; and al-Marwazī in Ta'zīm qadr al-ṣalāh, 1:256 §247.

280 1 FATWA ON TERRORISM AND SHICIDE BOMBINGS

'Invite to the path of your Lord with wisdom and goodly invitation', I

and,

﴿ لَا إِكْرَاهَ فِي ٱلدِّينِ ﴾

'There is no compulsion in the religion'.2

Satan plants the seeds of arrogance in their hearts, which in turn cause them to see themselves as pure Muslims and others as impure, if Muslims at all. They believe that it is their right to force others to believe what they believe, and because Satan has moulded them and shaped them with the idea that they are peerless, they are convinced that they are free to use whatever means at their disposal to either bring wayward Muslims back to the right path or eliminate them.

This mindset allows them to kill people, spread terror and plunder wealth and property without fear of sin. According to their warped understanding, whatever crimes they do are jihad. The Qur'an informs us that they will be the greatest of losers in the Hereafter:

'Say, "Shall We inform you of those who are the greatest losers with respect to their deeds? It is those whose entire struggle is wasted in the life of this world, but they presume they are doing good".'3

Imam al-Shahrastānī said about the false beliefs and ideologies of Kharijites:

كِبَارُ فِرَقِ الْحَوَارِجِ سِئَةً: ٱلْأَزَارِقَةُ وَالنَّجَدَاتُ وَالْمِجَارَةُ وَالنَّعَالِبَةُ وَالْإِبَاضِيَّةُ وَالصَّفْرِيَّةُ

¹ Qur'an 16:125.

² Ibid., 2:256.

³ Ibid., 18:103-104:--

وَالْبَاقُونَ هُرُوعُهُمْ، وَيَرَوْنَ الْحُرُوجَ عَلَى الْإِمَامِ إِذَا حَالَفَ السُّنَةُ حَقَّا وَاجِبًا. . . . هُمُ الَّذِينَ حَرَجُوا عَلَى أَمِيْرِ الْمُؤْمِنِينَ عَلِيٍّ عَلِيٍّ حِيْنِ جُرِي أَمْرُ الْحَكَمْمُنِ وَاجْتَمَعُوا بِحَرُورَاءَ مِنْ نَاحِيَةِ الْكُوفَةِ وَرَيْسُهُمْ عَبْدُ اللهِ بْنُ الْكُوّاءِ وَعَتَّابُ بْنُ الْأَعْوِرِ وَعَبْدُ اللهِ بْنُ الْكُوّاءِ وَعَتَّابُ بْنُ الْأَعْوِرِ وَعَبْدُ اللهِ بْنُ وَهْبِ الرَّاسِيقُ وَحُرْفُوصُ بْنُ رُعَنِي اللهِ اللهِ اللهِ عَلَى اللهِ عَلَى اللهُ عَلَى وَحُرْفُوصُ بْنُ رُعَنِي النَّيَا اللهِ عَلَى النِّي عَشَرَ أَلْفَ رَجُلٍ أَهْلِ صَلَاةٍ وَعِيامًا أَعْنِي يَوْمَ اللهُ عَلَى اللهِ عَشَرَ أَلْفَ رَجُلٍ أَهْلِ صَلَاةٍ وَعِيامًا أَعْنِي يَوْمُ اللهِ عَلَى الْمُعَلِّمُونَ وَآخِرُهُمْ ذُو الثَّذَيِّةِ. وَعَيَام اللهِ وَالْمُولِمِرَةِ وَآخِرُهُمْ ذُو الثَّذَيِّةِ.

The major factions of the Kharijites are six; al-Azāriga. al-Najdāt, al-'Ijāra, al-Tha'ālıba, al-Ibādiyya and al-Safriyya. The remaining factions are but offshoots of these. They believe that it is right and obligatory to revolt against the government if it goes against the Sunna.... They are the ones who rebelled against the Commander of the Faithful, 'Alī &, when the process of arbitration was underway. They gathered at Hārūrā in the region of Kufa. Their leaders were 'Abd Allah b. al-Kawa', 'Atab b. al-A'war, 'Abd Allāh b. Wahb al-Rābisī, 'Urwa b. Jarīr, Yazīd b. 'Āsim and Hurgūs b. Zuhayr, better known as Dhū al-Thaddīva. In those days they totalled twelve thousand men dedicated to prayer and fasting-meaning on the day of the Battle of Nahrawan. . . . The first of them was known as Dhū al-Khuwaysıra and the last of them [in the first organized revolt] was known as Dhū al-Thadīvva.1

Ibn Ḥajar al-'Asqalānī said:

قَالَ الْقَاضِي أَبُو بَكُو بَنُ الْعَرَبِيِّ: ٱلْحَوَارِجُ صِنقَانِ: أَحَدُهُمَا يَزْعَمُ أَنَّ عُفْمَانَ وَعَلِيًا هِيُّ وَأَصْحَابَ الْجَمَلِ وَصِفْنَى وَكُلُّ مَنْ رَضِي بِالشَّحْكِيْمِ كُفَّارٌ. وَالآخَرُ يَزْعَمُ أَنْ كُل مَنْ أَتَى كَبِيرُةً فَهُوَ كَافِرٌ مُحَلِّدٌ فِي النَّارِ أَبَدًا، وَزَادَ نَجْدَةُ عَلَى مُفتقدِ الْحَوَارِجِ أَنَّ مَنْ لَمْ يَخْرُجُ وَيُحَارِبِ الْمُسْلِمِيْنَ فَهُوَ كَافِرٌ، وَلَو اغْتَقَدَ مُغتقدَهُمْ.

¹ 'Abd al-Karīm al-Shahrastānī, al-Milal wa al-nihal, p. 115.

Al-Qādī Abū Bakr Ibn al-'Arabī said, 'The Kharijites are two types: Those who claim that 'Uthmān, 'Alī and those present at the Battle of al-Jamal and Şiffīn, and all who were pleased with the arbitration, were disbelievers; and those who claim that anyone who commits a grave sin is a disbeliever who will abide eternally in Hell. Najda [b. 'Amir] had added a belief not held by the other Kharijites, namely that the one who does not march out and wage war against the Muslims is himself a disbeliever—even if he held the belief of the Kharijites'.'

Ibn Taymiyya spoke about the blasphemous beliefs of the Kharijites and their oppressive behaviour against the Muslims,

As the Prophet described them, they would 'kill the people of Islam and leave the idolaters'. They declared 'Alī b. Abī Ṭālib and 'Uthmān b. 'Affān disbelievers, as well as those who allied with them. They killed 'Alī b. Abī Ṭālib, believing that it was lawful. The killer was 'Abd al-Raḥmān b. Muljam al-Murādī. He, along with the other Kharijites, was devout in their worship; however, they were grossly ignorant [of religious logic and wisdom] and abandoned the Sunna and the community [jamā'a]. They said, 'There is only the believer and the disbeliever; the

I Ibn Hajar al-'Asqalānī, Fath al-Bārī, 12:283, 285.

believer is he who performs every single obligation and abstains from every single prohibition. So whoever does not fit that description is a disbeliever who will abide eternally in the Fire'. Furthermore, they applied this to anyone who objected to them, and said, 'Uthman and 'Alī and their ilk have judged by other than what God has revealed and committed oppression therefore they are disbelievers'.

Describing the known features of the Kharijites, Ibn Taymiyya said:

لَهُمْ خَاصِّتَانِ مَشْهُورِتَانِ فَارَقُوا بِهِمَا جَمَاعَةَ الْمُسْلِمِيْنَ وَأَنِفَتَهُمْ، أَحَدُهُمَا: خُرُوجُهُمْ عَنِ السُّنَةِ، وَجَعْلُهُمْ مَا لَيْسَ بِسَيْنَةِ سَيِّنَةً، أَوْ مَا لَيْسَ بِحَسَنَةِ حَسَنَةً. اَلْفَرْقُ النَّانِي فِي الْحَوَارِجِ وَأَهْلِ الْبِدَعِ: إِنَّهُمْ يُكَفِّرُونَ بِاللَّنُوبِ وَالسَّيَّاتِ. وَيَتَرَبُّ عَلَى تَكْفِيرِهِمْ بِاللَّنُوبِ اسْتِخْلَالُ مِمَاءِ الْمُسْلِمِيْنَ وَأَمْوَالِهِمْ، وَإِنَّ ذَارَ الْإِسْلَامِ دَارُ حَرْبٍ، وَذَارَهُمْ هِيَ ذَارُ الْإِيْمَانِ.

There are two well-known and exclusive traits by which they parted from the community of Muslims and the Islamic state: their abandonment of the Sunna and the act of declaring sinful that which is not a sin or declaring as good that which is not good. The second difference between the Kharijites and the remaining people of blameworthy innovation is that they declare people disbelievers over sins and misdeeds. Their imputation of disbelief on account of sins results in their making lawful the blood and wealth of the Muslims and declaring the abode of Islam [Dār al-Islām] an abode of war [Dār al-Ḥarb] and only the land in their control the abode of faith.²

The reason why the Kharijites are also called Harūriyya is because the first group of Kharijites emerged from the area of

¹ Ibn Taymiyya, Majmū'a al-fatāwā, 7:481.

² Ibid., 19:72-73.

Hārūrā in the days of 'Alī's caliphate. Shabbīr Aḥmad 'Uthmānī said:

قَوْلُهُ فِيْ عَنِ الْحَرُورِيَّةُ إِلَخَ: هُمُ الْحَوَارِخُ، جَمْعُ خَارِجَةٍ، أَيْ طَانِفَةً، وَهُمْ قَوْمً مُتَدِيعُونُ سُمُوا بِذَلِكَ، لِخُرُوجِهِمْ عَنِ الدِّيْنِ، وَخُرُوجِهِمْ عَلَى خِتَارِ الْمُسْلِمِينَ، وَأَصْلُ ذَلِكَ أَنَّ بَغْضَ أَهْلِ الْعِرَاقِ أَنْكُرُوا سِيرَةً بَغْضِ أَقَارِبٍ عُنْمَانَ فِيْ السَلَاوَةِ عَلَى عُفْمَانَ فِي بِذَلِكَ، وَكَانَ يُقَالُ لَهُمْ: الْقُرَاءُ، لِشِدَّةِ اجْتِهَادِهِمْ فِي التَّلَاوَةِ وَالْعِبَادَةِ، إِلَّا أَنْهُمْ كَانُوا يَتَأْوُلُونَ الْقُرْآنَ عَلَى غَيْرِ الْمُرَادِ مِنْهُ، وَيَسْتَبِلُونَ بِرَأْبِهِمْ، وَيَتَنْطُعُونَ فِي الرَّهْدِ وَالْحُشُوعِ وَخَيْرِ ذَلِكَ، فَلَمَّا قُبِلَ عُفْمَانُ فِي فَاتَلُوا مَعَ عَلِي فِي، وَاغْتَقُدُوا كُفْرَ عُلْمَانَ فِي وَمَنْ ثَابِعَهُ، وَاعْتَقَدُوا إِمَامَةً عَلِي فِي وَكُفْرَ مَنْ قَاتَلُهُ

The Prophet's statement regarding 'the Harūriyya' is regarding the Kharijites, which is from the word 'khārija', which means 'those who went out'. They are a folk from the blameworthy innovators and were given that name because of their separation from the religion and the best of the Muslims. The start of all this lies with some of the people of Iraq who objected to the behaviour of some of 'Uthman's relatives [who were in powerl, so as a result they defamed 'Uthman, They used to be called 'the reciters' because of their dedication to recitation and worship; however, they would incorrectly interpret the Qur'an, force others to adopt their views and go to extremes in asceticism, humility and so on. So after 'Uthman was killed they fought alongside 'Alī. believing that 'Uthman and those who followed him were disbelievers. They believed in the imamate of 'Alī and held that those who fought against him during the Battle of al-Jamal were disbelievers. However, when he chose arbitration, they censured him and left him at Siffin and became secessionists [Kharijites].1

¹ Shabbīr Aḥmad 'Uthmānī, Fatḥ al-Mulhım, 5:158.

هُمْ بَمَائِيَةُ آلَافِي. وَقِبْلَ: كَانُوا أَيْحُوْ مِنْ عَشَرَةِ آلَافِي. . . فَتَنَادُوا مِنْ جَوَائِبِ
الْمَسْجِدِ: لَا حُكُمْ إِلَّا لِلْهِ، فَقَالَ: كُلِمَةُ حَلَّى يُرَادُ بِهَا بَاطِلَ، فَقَالَ لَهُمْ: لَكُمْ عَلَيْنَا
الْمَسْجِدِ: لَا حُكُمْ إِلَّا لِلْهِ، فَقَالَ: كُلِمَةُ حَلَّى يُرَادُ بِهَا بَاطِلَ، فَقَالَ لَهُمْ: لَكُمْ عَلَيْنَا
الْمَسْجِدِ: لَا حُكُمْ مِنَ الْمُسَاوِدِ، وَلا مِنْ رِزْقِكُمْ مِنَ الْفَيْءِ، وَلا نَبْدَوُكُمْ بِقِبَالِ مَا
لَمْ تُحْدِلُوا فَسَادًا، وَحَرَجُوا شَيْئًا بَعْدَ شَيْءٍ إِلَى أَنِ اجْتَمَعُوا بِالْمَدَائِنِ، . . . فَأَمَرُوا
عَلَى الْإِمْتِنَاعِ حَلَّى يَشْهَدَ عَلَى فِي اللهِ اللهُ وَلَهُ وَاللهُ وَأَعْلَهُ مِنْ لا يُعْتَلُوا مَنِ اجْتَاوُ
عَلَى أَنْ مَنْ لَا يَعْتِدُ مُعْتَقَدَهُمْ يَكُفُرُ وَيُبَاحُ دَمْهُ وَمَالُهُ وَأَعْلَهُ ، . . . فَقَتْلُوا مَنِ اجْتَاوَ
بِهِمْ مِنَ الْمُسْلِمِينَ.

They were eight thousand in number, although it was said that they were over ten thousand.... [When 'Alī was making an address! they issued calls from around the mosque, saving, 'There is no judgement but for God', 'Alī said, 'A true word by which falsehood is intended'. He also said to them, 'There are three rights you have over us: that we do not prevent you from the mosques, that we do not withhold from you your provision from the fav' (spoils acquired without fighting), and that we do not initiate fighting against you so long as you do not spread corruption'. They seceded, bit by bit, until they gathered in Mada'in . . . and they began withholding obedience [from 'Alī, saving they would continuel until 'Alī confessed to disbelief for having preferred arbitration. . . . Then they concurred amongst themselves that whoever does not believe as they do is to be declared a disbeliever whose blood, wealth and family are lawful. . . . Then they killed any of the Muslims who passed their way.

هَذَا مُلَخُصُ أَوْلِ أَمْرِهِمْ، فَكَانُوا مُخْتَفِئنَ فِي خِلاقَةِ عَلِيٍّ عِلَى حَتَّى كَانَ مِنهُمْ عَنْدُ الرُّحْمَنِ بْنُ مُلْجِمِ الَّذِي قَتَلَ عَلِيًّا عِلَى بَعْدَ أَنْ دَخَلَ عَلِيٍّ عِلَى فِي صَلَاقِ الصُّنْحِ. . . . فَطَهَرَ الْحَوَارِجُ جِنْتِلِهِ بِالْعِرَاقِ مَعَ نَافِعٍ بْنِ الْأَزْرَقِ، وَبِالْيَمَامَةِ مَعَ نَجْدَةَ بْنِ عَامِ، وَزَادَ نَجْدَةً عَلَى مُعْتَقَدِ الْحَوَارِجِ أَنْ مَنْ لَمْ يَخْرُجُ وَيُحَارِبِ الْمُسْلِمِيْنَ فَهُو

I Ibid.

كَافِرٌ، وَلَوِ اعْتَقَدَ مُعْتَقَدَهُمْ. . . . وَتُطُرُوا مَنْ تَرَكَ الْأَمْرَ بِالْمَعْرُوفِ وَالنَّهُيَ عَنِ الْمُنْكُرِ إِنْ كَانَ قَادِرًا، وَإِنْ لَمْ يَكُنْ قَادِرًا فَقَدِ ارْتُكَبَ كِيرَةً، وَحُكُمُ مُرْتَكِبِ الْكَبِيرَةِ عِنْدَهُمْ حُكُمُ الْكَافِرِ. قَالَ أَبُو مَنْصُورٍ الْبَغْدَادِيُّ فِي "الْمَقَالَاتِ": عِدَّةُ فِرْقِ الْحَوَارِجِ عِشْرُونَ فِرْقَةً.

This is a synopsis of their origin. They were concealed within the ranks during the caliphate of 'Alī &, until 'Abd al-Rahman b. Muliam killed 'Alī after having approached him during the Dawn Prayer. . . . During that time the Kharijites emerged from Iraq with Nāfi' b. al-Azraq, and in Yamama with Najda b. 'Amir, and Najda had added a belief not held by the other Kharijites, namely that the one who does not march out and wage war against the Muslims is himself a disbeliever—even if he held the belief of the Kharijites. They imputed disbelief upon those who neglected to enjoin the good and forbid the evil-if they were able to do so and still neglected it. And if they were unable, it was believed that they committed a grave sin, and according to them, the one who commits a major sin is a disbeliever. Abū Mansūr al-Baghdādī said in al-Magalat, 'The factions of the Kharintes are over twenty in number'.1

13.9 THE PSYCHOLOGICAL TRAITS OF THE KHARIJITES

Commenting on the Kharijites and their activities, Imam Ibn alAthīr wrote:

ثُمُّ إِنَّ الْحَوَارِجَ لَقِيَ بَعْطُهُمْ بَعْطًا وَاجْتَمَعُوا فِي مَنْزِلِ عَبْدِ اللهِ بْنِ وَهْبِ الرَّاسِيق، فَحَطَبَهُمْ فَزَهْدَهُمْ فِي الدُّنْيَا وَأَمْرَهُمْ بِالْأَثْرِ بِالْمَعْرُوفِ وَالنَّهِي عَنِ الْمُنْكُر، ثُمُّ قَالَ: اخْرُجُوا بِنَا مِنْ هَلِهِ الْقَرْبَةِ الطَّالِمِ أَهْلُهَا إِلَى بَعْضِ كُورِ الْجِبَالِ أَوْ إِلَى بَعْضِ هَذِهِ الْمَدَائِنِ مُنْكِرِيْنَ لِهَذِهِ الْبِدَعِ الْمُطِلَّةِ. ثُمَّ اجْتَمَعُوا فِي مَنْزِلِ شُرْبُحِ بْنِ أَوْفَى الْعَبْسِيّ، فَقَالَ ابْنُ وَهْب: الشَّحَصُوا بِنَا إِلَى بَلْدَةٍ نَجْتَمِعُ فِيهَا لِإِنْهَاؤِ حُكْم اللهِ

^I Ibid.

Then the Kharijites joined forces and gathered in the home of 'Abd Allāh b. Wahb al-Rāsibī, where he addressed them and encouraged them to abstain from the delights of the world and to enjoin the good and to forbid the evil. Then he said, 'Leave with us and let us abandon this city of oppressors and head for the mountains or some of the other cities, while detesting these blameworthy and misguided innovations'. Then they gathered in the house of Shurayh b. Awfā al-'Abasī. Ibn Wahb said, addressing the gathering, 'Let us come together and head for a land where we will carry out the law of God, for you are the people of the truth'. Shurayh said, 'We would go to the various towns, enter them and expel their inhabitants'.'

One particularly heinous event occured when the Kharijites brutally slaughtered 'Abd Allāh b. Khabbāb and his wife for refusing to declare 'Uthmān and 'Alī disbelievers. Imam al-Ţabarī, Ibn al-Athīr and Ibn Kathīr narrated:

They put him on the ground and slaughtered him, causing his blood to flow into the water. Then they advanced towards his wife and she said, 'I am a woman? Do you not fear God?' Then, they sliced open her stomach and killed three other women from Tay' [because they sympathized with her].²

When 'Alī learnt about the murder of 'Abd Allāh b. Khabbāb, he dispatched al-Hārith b. Murra al-'Abdī to the Kharijites to investigate the incident. When he reached the Kharijites and asked

Ibn al-Athir, al-Kāmil fi al-tārīkh, 3:213-214.

² Ibid., 3:219, 7:288; al-Tabarī, Tārīkh al-umam wa al-mulūk, 3:119.

288 | FATWA ON TERRORISM AND SUICIDE BOMBINGS

why they murdered 'Abd Allah, they killed him as well.

Ibn Kathīr mentioned that after this, the Kharijites wrote to 'Alī, saying,

'All of us have killed your brothers, and we believe that both their blood and your blood are lawful'."

When 'Alī dispatched Qays b. Sa'd b. 'Ubāda al-Anṣārī to go and negotiate with the Kharijites, he addressed them, saying,

'O servants of God! Hand over those of you whom we want, and obey the authority of the state that you have challenged.... For indeed, you have committed a grievous crime; you accuse us of polytheism and shed the blood of the Muslims'.2

Similarly, as 'Alī's representative, Abū Ayyūb al-Anṣārī also tried to convince the Kharijites. He said,

'O servants of God! Certainly, we and you are in the same state as we were before. There is no hostility as such between you and us, so why do you fight against us?'³

Their terrorist and rebellious state of mind is also revealed in the address 'Alī made to the Kharıjites:

بَيْنُوا لَنَا بِمَ تَسْتَجِلُونَ قِتَالَنَا وَالْحُرُوجَ عَنْ جَمَاعَتِنَا، وَتَصَعُونَ أَسْيَافَكُمْ عْلَى عَوَاتِفِكُمْ، ثُمَّ تَسْتَغُوضُونَ النَّاسَ تَصْرِيُونَ رِفَايَهُمْ، إِنَّ هَذَا لَهُوَ الْخُسْرَانُ الْمُبِيْنُ، وَاللهِ لَو فَتَلْتُمْ

Ibn Kathīr, al-Bidāya wa al-nihāya, 7:288-289.

² Ibn al-Athīr, al-Kāmil fī al-tārīkh, 3:219.

³ Ibid.

عَلَى هَذَا دَجَاجَةً لَعَظْمَ عِنْدَ اللهِ قَعْلُهَا، فَكَيْفَ بِالنَّفْسِ الَّتِي قَعْلُهَا عِنْدَ اللهِ حَرَامٌ.

'Explain to us: by what justification do you declare it lawful to kill us and rebel against the authority of the state and take up arms? And then you go out and slay people! Indeed, this is most surely a clear loss. I swear by God, it would be seen as grievous in the sight of God that you even kill a chicken with this intention, so what about a harmless soul that is considered inviolable in His sight?'

When 'Alī & presented the banner of peace to Abū Ayyūb al-Anṣārī &, he went out and said,

'Whoever takes refuge under this banner is safe; whoever abstains from fighting and killing will be safe; and whoever amongst you heads to Kufa or to the other towns and abandons this group is safe'.2

These citations clearly show that the Kharijites declared the Prophet's Companions and the common Muslims disbelievers and polytheists and considered it not only lawful to kill them, but religiously mandated.

13.10 How the Kharijites Roused Religious Sentiments

The Kharijites would base their call for religion on the Qur'ān. Expressing their religious zealotry, they would rouse extremist sentiments in some of the hapless and ignorant Muslims, and misinterpreting jihad, they would incite them to commit mass murder. To motivate them further, they would mention the rewards of Paradise, so as to mentally prepare their followers to

¹ Ibn al-Athīr, al-Kāmil fī al-tārīkh, 3:220; Ibn Kathīr, al-Bidāya wa al-nihāya, 7:226.

² Ibn al-Athīr, al-Kāmil fī al-tārīkh, 3:221.

kill and be killed. Ibn Kathīr recounted a sermon delivered to the Kharijites by one Zayd b. Ḥiṣn al-Ṭā'ī al-Sanbasī.

اجْتَمَعُوا أَيْضًا فِي بَيْتِ نَبِدِ بْنِ حِصْنِ الطَّائِيِّ السَّنْهِسِيِّ فَحَطَبَهُمْ وَحَفَّهُمْ عَلَى الأَمْرِ إِلْمَعُرُوفِ وَالنَّهِي عَنِ الْمُنْكُرِ، وَتَلَا عَلَيْهِم آيَاتِ مِنَ الشَّرْآنِ مِنْهَا قَولُهُ تَعَالَى: ﴿يَلْدَاوُدُ إِنَّ جَعَلْنَكَ حَلِيفَةً فِي الْأَرْضِ فَاحْكُمْ بَيْنَ النَّاسِ بِالْحَقِّ وَلا تَشْعِ الْهَوَى فَيْعَلِمُونَ النَّاسِ بِالْحَقِّ وَلا تَشْعِ الْهَوَى الْمَعْرُونَ ﴾. وَكُذَا اللَّهِ فَاوْلَئِكَ هُمُ الظَّالِمُونَ الْفَاسِقُونَ. ثُمَّ قَالَ: فَأَشْهَدُ عَلَى الْمُعْرُونَ ﴾. وَكُذَا اللَّهِ فَالْحَلَقِ الطَّالِمُونَ الْفَاسِقُونَ. ثُمَّ قَالَ: فَأَشْهَدُ عَلَى الْمُؤْرِقِ عَلَى الْمُؤْرِقِ عَلَى الْمُؤْرِقِ عَلَى النَّاسِ، وَقَالَ لَهُ عَلَى الْمُؤْرِقِ عَلَى النَّاسِ، وَقَالَ فِي عَنْدُ اللهِ بْنُ سَخْبَرَةَ السُّلَعِيُّ، ثُمْ حَرَّضَ أُولِيكَ عَلَى الْمُؤْرِقِ عَلَى النَّاسِ، وَقَالَ فِي عَنْدُ اللهِ بْنُ سَخْبَرَةَ السُّلَعِيُّ، ثُمْ حَرَّضَ أُولِيكَ عَلَى الْمُؤْرِقِ عَلَى النَّاسِ، وَقَالَ فِي عَنْدُ اللهِ بْنُ سَخْبَرَةَ السُّلَعِيُّ، ثُمْ حَرَّضَ أُولِيكَ عَلَى الْمُؤْرِقِ عَلَى النَّاسِ، وَقَالَ فِي عَنْدُونَ الْمُؤْرِقِ عَلَى اللَّهُ عَنْ اللهِ عَلَى اللَّهُ عَلَى الْمُؤْرِقِ عَلَى الْمُؤْرِقِ عَلَى النَّاسِ، وَقَالَ فِي عَلَى الْمُؤْرِقِ وَالْمُؤْمِقُ الْمُؤْمِقِ وَالْمَالِقَ اللْمُؤْرِقِ عَلَى الْمُؤْرِقِ عَلَى الْمُؤْرِقِ عَلَى الْمُؤْمِقِ وَالْمَالِقِ اللْمُؤْمِقِ وَالْمُؤْمِقِ وَالْمَالِقِ اللْهُ وَجُومُهُمْ وَجِامُومُ اللهِ وَجَنْهِ وَلَا اللهُ وَجَنْهِ وَاللّهُ وَاللّهُ وَجَنِّهِ اللّهُ وَالَمُهُ اللّهُ وَجَنْهِ وَلَا اللّهُ وَاللّهُ الْمُؤْمِقِيلَ الْمُؤْمِقُ وَالْمُؤْمِ وَالْمَالِقُ الْمُؤْمِقِ وَالْمُؤْمِ وَاللّهُ وَالْمُؤْمُ وَالْمُ اللّهُ وَالْمُؤْمِ اللْمُؤْمِ وَالْمُؤْمُ وَالْمُؤْمُ وَالْمُ الْمُؤْمِ وَالْمُؤْمُ وَالْمُؤْمِ وَالْمُؤْمُ وَالْمُ اللْمُؤْمِ وَالْمُؤْمُ وَالْمُ الْمُؤْمِ وَالْمُؤْمِ وَالْمُؤْمِ وَالْمُؤْمِ وَالْمُؤْمُ وَالْمُؤْمِ وَالْمُؤْمِ وَالْمُؤْمُ وَالْمُؤْمِ وَالْمُؤْمِ وَالْمُؤْمِ وَالْمُؤْمِ وَالْمُومُ وَالْمُؤْمُ وَالْمُؤْمِ وَالْمُؤْمِ وَالْمُؤْمِ وَالْمُؤْمِ وَالْمُؤْمِ وَالْمُؤْمُ وَالْمُؤْمِ وَالْمُؤْمِ وَالْمُؤْمُ وَالْ

They also gathered in the house of Zayd b. Hisn al-Tā'ī al-Sanbasī. He addressed them and encouraged them to enjoin the good and forbid the evil. He recited to them some select verses from the Qur'an, such as the statement of the Most High, 'O David! Indeed, We have made you a vicegerent on the earth, so judge between people with truth and do not follow vain desires, lest they lead you astray from the path of God' [Qur'an 38:36], and His statement, 'And whoever does not judge by what God has revealed, then they are the dishelievers'. He went on to recite the similar verses that mention 'they are the oppressors' and 'they are the corrupt'. Then he said, 'I call the people of our call and gibla to bear witness that they ['Alī and the community] have followed vain desires and cast the ruling of the Book [Qur'an] aside and acted unjustly in their words and deeds. And I call you to bear witness that it is incumbent upon the believers-to wage jihad against them'. Upon hearing this, a man amongst them by the name of 'Abd Allāh b. Sakhbara al-Sulamī began to weep, then he [Zayd b. Ḥiṣn] started to rouse them to revolt and said, 'Strike their faces and sides with swords until the Most Compassionate and Merciful is obeyed. If you are victorious and God is obeyed as you wish, He will reward you with the recompense of those who obey Him and act upon His commands. And if you are killed, then what could be better than God's good pleasure and Paradise?'

If we analyse the methodology and activities of modern-day terrorists, we see that they are mentally immature, young and brainwashed, and have the same modus operandi as the Kharijites of old. Their warped view of Islam is plain to see; on the one hand they are very devout in their worship, and on the other hand they have no compunction in killing peaceful Muslims. Ibn Kathīr reported that once the branch of a date palm fell during a journey and one of the Kharijites picked up a date from it and put it in his mouth. A fellow Kharijite objected and reminded him that he did not have the owner's permission. Immediately, the man spit it out.²

Similarly, Imam Ibn al-Athīr related that once, when a pig owned by one of the non-Muslim citizens passed by a member of the Kharijites, he killed it with his sword. A fellow Kharijite condemned him for killing it, and when its owner came, he begged his pardon, paid its price and made the man happy.³

Look at the apparent religiosity of the Kharijites on the one nand and their terrorism, barbarism and ruthlessness on the other. Ibn Kathīr reported,

وَمَعَ هَذَا فَلَمُوا عَبْدَ اللهِ بْنَ خَبَّابٍ فَذَيَخُوهُ، وَجَاؤُوا إِلَى امْرَأَتِهِ فَقَالَتْ: إِنِّي امْرَأَةٌ حُبْلَى، أَلَا تَتَكُونَ اللهَ، فَذَبَخُوهَا وَبَقْرُوا بَعْلَيْهَا عَنْ وَلَدِهَا، فَلَمَّا بَلَغَ النَّاسَ هَذَا مِنْ صَنِيْعِهِمْ خَافُوا إِنْ هُمْ ذَهُبُوا إِلَى الشَّامِ وَاشْتَقَلُوا بِقِتَالِ أَهْلِهِ أَنْ يُخْلِفَهُمْ مَؤُلَاهِ فِي

^{&#}x27;Ibn Kathīr, al-Bıdāya wa al-nıhāya, 7:286.

^L Ibid., 7:288.

³ Ibn al-Athīr, al-Kāmil fī al-tārīkh, 3:218.

So along with this, they brought 'Abd Allah b. Khabbab forward and slaughtered him. Then they approached his wife and she said, 'I am pregnant; do you not fear God?' Then they slaughtered her and sliced open her stomach and killed her unborn child. When news of their deed reached people, they were afraid; if they went to the Levant to fight them they would leave their wives and children at risk of suffering the same fate. They were afraid for their families and suggested to 'Alī that he should first fight them, and then go confront the people of the Levant after he is done with them; that way, the people will be safe from their evil. There was a unanimous opinion that fighting them was the best course, and that was a tremendous good for both them and the people of the Levant. 'Alī dispatched a messenger to them, one Hārith b. Murra al-'Abdī, and said to him, 'Keep me well-informed about them and write to me'. When Hārith reached them they killed him and did not even

give him a chance to speak. When news of this reached 'Alī, he was resolute in his decision to fight them first before the people of the Levant. The Kharijites soon sent him a message, saying, 'All of us killed your brothers and we declare lawful their blood and yours'. Qays b. Sa'd b. 'Ubāda went to them and exhorted them, denouncing them for their grievous crime, but it was of no avail. Similarly, Abū Ayyūb al-Anṣārī went to them, as did the Commander of the Faithful, 'Alī b. Abī Ṭālib, who said to them, 'Your vain desires have made pleasing to you that for which you kill the Muslims! I swear by God, it would be seen as grievous in the sight of God that you even kill a chicken with this intention, so what about the blood of the Muslims?'

These historical records prove that the Kharijites considered lood a cheap commodity. They had no reservations about killing eople and cared not one tota for those who were brought up with he Prophet's spiritual training.

Since the Prophet some made it categorically clear that these eople would continue to emerge, time and time again, it is easy precognize the modern-day Kharijites, for they share the same raits of those of old. They too shed the blood of people; they po brutally slaughter women and children and challenge the uthority of the state; they too attack mosques, murder peaceful eople engaged in worship and target them in the marketplaces; nd they too call their dastardly deeds jihad. All the current acts f terrorism committed by the so-called 'Mujāhidūn' are but a ontinuation of the Kharijite doctrine and ideology.

3.11 The Blameworthy Religious Innovations of the Charijites

rom the previous sections we learnt that the Kharijites held many aseless positions and added numerous heretical innovations in he religion. They would give self-made interpretations of the

Ibn Kathīr, al-Bidāya wa al-nihāya, 7:288.

Qur'an and hadith and, on that basis, declare lawful the blood of Muslims. The Prophet foretold many of their innovations. He foretold that they would kill the Muslims and spare the idolaters; he stated that they would consider it lawful to murder non-Muslim minorities; he said that they would be extreme in worship; he informed us that they would declare the perpetrators of enormities as permanent residents of Hell and hold that their lives and properties are lawful; he said that they would believe that the one who disobeys the Qur'an in his practice and opinion is a disbeliever; and finally, he foretold that they would believe it is obligatory to revolt and rebel against oppressive and corrupt governments. Ibn Umar mentioned that they would take the Qur'anic verses revealed about the disbelievers and apply them to the believers.

Early history reveals that the Kharijites were so extreme in their beliefs, ideologies and innovations that they even regarded the Prophet's Companions as disbelievers. Imam al-Shahrastānī writes in al-Milal wa al-nihal that Ziyād b. Umayya asked the Kharijite, 'Urwa b. Udayya [or Udhayna], 'What do you think of Abū Bakr and 'Umar?' He said, 'They were good'. Then he asked about 'Uthmān. He said, 'I took him as my friend in the first six years of his caliphate, but when he introduced new things and made innovations, I stepped aside, because he disbelieved in the end'. Then he asked about 'Alī. He replied, 'He too was good in the beginning, but when he initiated arbitration, he turned into a disbeliever. So, I got away from him too'. And when he asked

¹ Ibid., Kıtāb al-tawhīd [The Book of Divine Unity], chapter: 'God's saying, "The angels and the Spirit Ascend to Him"' [Qur'an 70:4], 6:2702 \$6995.

² Narrated by al-Ḥākım in al-Mustadrak, 2:166 §2657.

³ Narrated by Abū Ya'lā in al-Musnad, 1:90 \$90.

⁴ ʿAbd al-Qāhır al-Baghdādī, al-Farq bayn al-firaq, p. 73; Ibn Taymıyya, Majmūʿa al-fatāwā, 13:31.

⁵ Narrated by al-Bukhari in al-Şahih: Kitāb istitāba al-murtaddīn wa al-mur'ānidīn wa qitālihim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'On Fighting the Kharijites and the Heretics after Establishing the Evidence against Them', 6:2539.

about Mu'āwiya, he reviled and condemned him as well.* Imam al-Shahrastānī also commented that the Kharijites used to declare the Muslims disbelievers, including the eminent Companions such as 'Uthmān, Tālḥa, Zubayr, 'Ā'isha and 'Abd Allāh b. 'Abbās ...'

13.12 THE RESEARCH OF IMAM ABU BAKR AL-ĀJURRI

Imam Abū Bakr al-Ājurrī wrote about the Kharijites in his book Kitāb al-sharī a and penned a chapter called, 'On the Condemnation of the Kharijites and Their Evil Way, and the Permissibility of Killing them, and the Reward for the One Who Either Kills them or is Killed By Them'. He stated,

لَمْ يَخْتَلِفِ الْفَلَمَاءُ قَدِيمًا وَحَدِيمًا أَنَّ الْحَوَارِجَ قَوْمٌ سُوءً، عُصَاةً لِلَّهِ وَلِرَسُولِهِ فَلَقَ، وَإِنْ أَطْهُرُوا الْأَمْرَ وَإِنْ مَلُوا وَصَامُوا، وَاجْتَهَدُوا فِي الْمِبَادَةِ، فَلَيْسَ ذَلِكَ بِنَافِعٍ لَهُمْ، وَإِنْ أَطْهُرُوا الْأَمْرَ بِالْمَعْرُوفِ وَالنَّهْيَ عَنِ الْمُنْكُرِ، وَلَيْسَ ذَلِكَ بِنَافِعٍ لَهُمْ، لِأَنْهُمْ قَوْمٌ يَتَأْوُلُونَ الْقُرْآنَ عَلَى مَا يَهْوَوْنَ، وَمُمُوفُونَ عَلَى الْمُسْلِمِيْنَ. وَقَدْ حَلَّرَنَا اللهُ مِنْهُمْ، وَحَدَّرَنَا النَّبِي فَيْهِ، وَحَدَّرَنَا النَّهِ فَيْهِمْ الْحَدَّانَ اللهِ مَا اللهُ مِنْهُمْ الْمُحْدَانَا اللهِ وَمَنْ تَبْعَهُمْ الْحَدَانَ اللهِ تَعَالَى عَلَيْهِمْ الْحَدَانَ اللهِ تَعَالَى عَلَيْهِمْ الْحَدَانَا اللهِ تَعَالَى عَلَيْهِمْ الْحَدَانَ اللهِ تَعَالَى عَلَيْهِمْ الْحَدَانَ اللهِ تَعَالَى عَلَيْهِمْ الْحَدَانَ اللهِ تَعَالَى اللهُ يَعْلَمُهُمْ الْحَدَانَ اللهِ تَعَالَى عَلَيْهِمْ الْحَدَانَ اللهِ تَعَالَى عَلَيْهِمْ الْمُحْدَانَا اللهِ تَعَالَى عَلَيْهِمْ الْحَدَانَ اللهِ تَعَالَى عَلَيْهِمْ الْمُعْلَقَاءُ الرَّاهِ لُونَ بَعْدَهُ وَحَدَّرَنَاهُمْ الْعَلَمَانَا اللهِ تَعَالَى عَلَيْهِمْ الْمُعْلَى اللهُ تَعَالَى عَلَيْهِمْ.

الْحَوَارِجُ هُمُ الشَّرَاةُ الْأَنجَاسُ الْأَرْجَاسُ، وَمَنْ كَانَ عَلَى مَلْهَبِهِمْ مِنْ سَايِرِ الْحَوَارِج،
يَتَوَارُلُونَ هَلَا الْمُلْعَبِ قَدِيْمًا وَحَدِيثًا، وَيَخْرُجُونَ عَلَى الْأَيْثَةِ وَالْأَمْرَاءِ وَيَسْتَجَلُّونَ
قَطْلَ الْمُسْلِمِيْنَ. وَأُولُ قَرْنِ طَلَعَ مِنْهُمْ عَلَى عَهْدِ رَسُولِ اللهِ عَيْقِ: هُوَ رَجُلِ طَعَنَ عَلَى
اللّهِي فَيْهِ، وَهُو يَهْسِمُ الْفَتَائِمَ بِالْجَعْرَانَةِ، فَقَالَ: اعْدِلْ يَا مُحَمَّدُ، فَمَا أَرَاكَ تَعْدِلُ،
فَقَالَ فَيْهِ: وَيَنْكَ، فَمَنْ يَعْدِلُ إِذَا لَمْ أَكُنْ أَعْدِلُ؟ فَآرَادَ عُمْرَ عِلَى قَتْلُهُ، فَمَنَعَهُ النّبِيُ
فَقَالَ فَيْهِ: وَيَنْكَ، فَمَنْ يَعْدِلُ إِذَا لَمْ أَكُنْ أَعْدِلُ؟ فَآرَادَ عُمْرَ عِلَى قَتْلُهُ، وَالْمَدُهُ وَالسَّلَامُ: أَنْ مَلَا وَأَصْحَابًا لَهُ يَعْقِرُ أَحَدُكُمْ مَلَاتُهُ
عَنْ مَالِابِهِمْ، وَعِينَامَهُ مَعْ صِيَامِهِمْ، يَمْرُقُونَ مِنَ الدَّيْنِ كُمَا يَمْرُقُ السِّهُمْ مِنَ الرِّهِيَّةِ.
وَأَمْرَ عَلَيْهِ الصَّلَامُ وَالسَّلَامُ فِي غَيْرِ حَدِيْتٍ بِقِتَالِهِمْ، وَبَيْنَ فَصْلَ مَن فَتَلَهُمْ
وَأَمْرَ عَلَيْهِ الصَّلَامُ وَالسَّلَامُ فِي غَيْرٍ حَدِيْتٍ بِقِتَالِهِمْ، وَبَيْنَ فَصْلَ مَن فَتَلَهُمْ
وَأَمْرَ عَلَيْهِ الصَّلَامُ وَالسَّلَامُ فِي غَيْرٍ حَدِيْتٍ بِقِتَالِهِمْ، وَبِيْنَ فَصْلَ مَن فَتَلَهُمْ
وَامْرَ عَلَيْهِ الصَّلَامُ وَالشَالَامُ فَى عَيْرٍ حَدِيْتٍ بِقِتَالِهِمْ، وَبَيْنَ فَصْلَ مَن فَتَلَهُمْ

¹ Al-Shahrastānī, al-Mılal wa al-nıhal, 1:118.

² Ibid., 1:121.

بِالْمَعْرُوفِ وَالنَّهُي عَنِ الْمُنْكُو، حَتَى قَدِمُوا الْمَدِيْنَةَ، فَقَتَلُوا عُنْمَانَ بْنَ عَفَانَ فِي وَقَدِ اجْتَهَدَ أَصْحَابُ رَسُولِ اللهِ فَلَى مِلْنَ كَانَ فِي الْمَدِيْنَةِ فِي أَنْ لاَ يُقْتَلَ عُثْمَانُ، فَمَا أَطَاقُوا ذَلِكَ. ثُمْ حَرَجُوا بَعْدَ ذَلِكَ عَلَى أَمِنْ الْمُلْمِينِينَ عَلِيّ بْنِ أَبِي طَالِبٍ فِي الْمَوْمِئِينَ عَلِيّ بْنِ أَبِي طَالِبٍ فِي وَلَمْ يَرْصَنُوا بِحُكْمِهِ، وَأَطْهَرُوا فَوْلَهُمْ. وَقَالُوا: لَا حُكْمَ إِلَّا لِلّٰهِ، فَقَالَ عَلِيٍّ فِي: كَانَ مَنْ اللهِيهُ وَأَطْهَرُوا فَوْلَهُمْ. وَقَالُوا: لَا حُكْمَ إِلَّا لِلّٰهِ، فَقَالَ عَلِي فِي: كَانَ مَنْ اللهِي مُعْلَى مَنْ اللهِي فَصَارَ سَيْفَ عَلَى بْنِ أَبِي طَالِب فِي الْحَوْرِجِ سَيْفَ عَلَى اللهِي اللهُ عَلَى اللهِي الْحَوْرِجِ سَيْفَ عَلَى اللهِ اللهِ اللهِي الْحَوْلِ فِي الْحَوْرِجِ سَيْفَ عَلَى إِلَى أَلَى مُقُومَ السَّاعَةُ فِي الْحَوْرِجِ سَيْفَ عَلَى اللهِ عَلَى اللهِ عَلَى اللهُ عَلَى اللهِ عَلَى اللهِ عَلَى اللهِ عَلَى اللهِ عَلَى اللهِ عَلَى اللهِ عَلَى اللهُ عَلَى اللهُ عَلَى اللهُ عَلَى اللهِ عَلَى اللهُ اللهِ عَلَى اللهُ عَلَى اللّهُ عَلَى اللّهُ اللّهُ اللّهُ عَلَى اللّهُ عَلَى اللّهُ عَلَى اللّهُ اللّهُ عَلَى اللّهُ الللّهُ اللّهُ اللّهُ الللّهُ اللّهُ اللللّهُ الللللّهُ الللّهُ الللللّهُ اللللّهُ الللللّهُ اللللّهُ اللّهُ اللللّهُ الللّهُ الل

فَلَا يَنْبَغِي لِمَنْ رَأَى اجْتِهَادَ خَارِجِيِّ قَدْ خَرَجَ عَلَى إِمَامٍ، عَادِلًا كَانَ الْإِمَامُ أَمْ جَائِرًا، فَحَرَجَ وَجَمَعَ جَمَاعَةً وَسَلَّ سَيقهُ، وَاسْتَحَلُّ قِبَالَ الْمُسْلِيفِيْنَ ، فَلا يَنْبَغِي لَهُ أَنْ يَغْتُرُ بِقِزَاءَتِهِ لِلْقُرْآنِ، وَلا بِطُولِ قِيَامِهِ فِي الصَّلَاةِ، وَلا بِدَوَام صِيَامِهِ، وَلا بِحُسْنِ أَلْفَاظِهِ فِي الْعِلْمِ إِذَا كَانَ مَذْهُهُ مَذْهَبُ الْحَوَارِجِ.

All the scholars of the past and the present agree that the Kharijites are an evil folk who disobey God, the Exalted and Sublime, and His Messenger —even if they pray and fast and strive in worship. None of that will avail them, despite their show of enjoining the good and forbidding the evil. That is because they interpret the Qur'an according to their vain desires and pass it off on the Muslims. God, the Exalted and Sublime, the Prophet —and the Rightly Guided Caliphs after the Prophet —warned us of them, as did the Companions and those who followed them in excellence—may God have mercy upon them.

The Kharijites are a vile and despicable folk, as are the other sects that adhere to their doctrine and inherit their way, from those of the past to the present day. They revolt against the governments and declare lawful the murder of Muslims. The first of them to appear was during the time of the Messenger of God, and he was a man who accused the Prophet of injustice as he apportioned the war booty at Ja'rāna. He said, 'O Muhammad! Be just,

for I don't think you are acting fairly'. So the Messenger of God Areplied, 'Woe to you! Who will be just if I am not just?' 'Umar wanted to kill him but the Prophet forbade him and said, 'Leave him, for he has compatriots. You will belittle your prayers and fasting in comparison to theirs, but they shall pass through the religion just as an arrow passes through a hunted game'.

In several hadith reports the Prophet & ordered that they be fought, and explained the virtue of the one who either kills or is killed by them. After their appearance they abandoned the various cities and gathered together. enjoining the good and forbidding the evil, until they reached Medina and killed 'Uthman b, 'Affan &. The Prophet's Companions who were in Medina tried to prevent 'Uthman's murder but were unsuccessful. Afterwards, the same people revolted against the Commander of the Faithful, 'Alī b. Abī Tālib &, because they were displeased with his judgement, and raised their slogan, 'There is no judgement but for God'. In response, 'Alī said, 'A word of truth by which falsehood is intended'. Then 'Alī fought against them and God honoured him with slaving them. The Prophet & informed us about the virtue of the one who either kills them or is killed by them. The Companions fought alongside 'Alī, and as a result, 'Alī's sword against the Kharijites became a sword of truth until the Final Hour.

Therefore, if a Kharijite revolts against the government—whether the government is just or not—and gathers forces and unsheathes his sword, no one should be deceived by his efforts in reciting the Qur'ān, praying lengthy prayers, engaging in constant fasts or his uttering of fine words regarding Sacred Knowledge, since his doctrine is that of the Kharijites.

Some of the most well-known reports about the Kharijites were narrated by Imam al-Ajūrrī in his chapter about the reward of those who fight agaisnt them and either kill them or get killed by them. 'Abd Allāh b. Mas'ūd & reported:

قَالَ رَسُولُ اللهِ ﷺ: يَخْرُجُ فِي آخِرِ الزَّمَانِ قَوْمٌ أَخْدَاتُ الْأَسْنَانِ سُفَهَاءُ الْأَخْلامِ يَشُولُونَ مِنْ حَيْرٍ فَوْلِ النَّاسِ، يَمْرُقُونَ مِنَ الْإِسْلَامِ كَمَا يَمْرُقُ السَّهُمُ مِنَ الرَّبِيَّةِ، مَنْ لَقِيمُهُمْ فَلْيُقْتُلْهُمْ، فَإِنَّ قَتَلَهُمْ أَجْرٌ عِنْدَ اللهِ.

The Messenger of God said, 'At the end of time there shall appear a folk, young in age and foolish. They will utter the best of words spoken by people, but they shall pass through Islam just as an arrow passes through a hunted game. Whoever encounters them [during war] should kill them, for killing them will be rewarded by God'.'

Abū Umāma 🔈 reported that the Prophet 🗯 said,

طُوبَى لِمَنْ قَتلَهُمْ وَقَتلُوهُمْ.

'Glad tidings of Paradise to those who kill them or are killed by them'.2

Abū Umāma & also reported that the Prophet & said thrice, 'They are the dogs of the Hellfire; they are the dogs of the Hellfire; they are the dogs of the Hellfire'. Then he & said,

I Narrated by al-Bukhārī in al-Ṣahīħ: Kitāb istitāba al-murtaddīn wa al-mu'ānidīn wa qitālihim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'On Fighting the Kharijites and the Heretics after Establishing the Evidence against Them', 6:2539 \$6531; Muslim in al-Ṣahīħ: Kitāb al-Zakāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:746 \$1066; and al-Tirmidhī in al-Sunan: Kitāb al-fitan [The Book of Tribulations], chapter: 'Concerning the Trait of Renegades [al-māriqa]', 4:481 \$2188. After having narrated this tradition in al-Sunan, Imam al-Tirmidhī said, 'This tradition is reported by 'Alī, Abū Sa'īd and Abū Dharr ♣, and it is a fine sound tradition'.

Narrated by Abū Dāwūd in al-Sunan: Kitāb al-Sunna, 4:243 \$4765; Ahmad b. Ḥanbal in al-Musnad, 3:224 \$13362; and al-Ḥākim in al-Mustadrak, 2:161 \$2649.

'They are the most evil of those slain under the heavens, and the best of those slain are the ones killed by them'."

'Alī 🔬 said,

'Wherever you encounter them [during war], slay them, for whoever slays them will be granted a reward on the Day of Resurrection'.²

'A'isha & said,

'The Messenger of God mentioned the Kharijites and said, "They are the worst of my *Umma* and shall be killed by the best of my *Umma*".'

¹ Narrated by Ibn Mājah in *al-Sunan*: 'Introduction', section: 'On the Kharijites', 1:62 §176; and al-Hākim in *al-Mustadrak*, 2:163 §2654.

² Narrated by al-Bukhārī in al-Şaḥīh: Kitāb istitāba al-murtaddīn wa al-mu'ānidīn wa qitālihim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'On Fighting the Kharijites and the Heretics after Establishing the Evidence against Them', 6:2539 \$6531; and Muslim in al-Şaḥīh: Kitāb al-Zakāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:746 \$1066.



CHAPTER 14

THE PROPHETIC SAYINGS REGARDING THE KHARIJITE TERRORISTS



EXTREMISM AND TERRORISM ARE COSTING US DEARLY. ON THE ONE hand they create doubts about Islam and its teachings, and on the other hand they result in the loss of lives and destruction of property. Peace and harmony guarantee prosperity, development, tranquillity and pleasure, whereas violence and strife cause turmoil and destruction. For this reason, the Prophet blocked all the passages and doors through which disaster and destruction could enter. He encouraged softness, kindness, mutual affection and clemency. A shad reported that the Prophet said,

'Indeed, God is gentle and He loves gentleness. He bestows for the sake of gentleness that which He does not bestow for harshness'."

Gentleness and affability are constructive, but harshness and violence are destructive. Softness and moderation are signs of well-wishing, while extremism and fanaticism represent hatred and violence. Extremism does not bring good in this life or the Hereafter, while violence perpetrated in the name of religion is more dangerous than violence done for the sake of worldly matters. Violence and aggression stem from extremism. The Prophet said,

'Beware of extremism in the religion, for that is what destroyed those before you'.2

¹ Narrated by Muslim in al-Ṣahīḥ: Kitāb al-birr wa al-Ṣila wa al-ādāb [The Book of Piety, Filial Duty and Good Manners], chapter: 'The Virtue of Gentleness', 4:2003 \$2593; Abū Dāwūd in al-Sunan: Kitāb al-adab [The Book of Good Manners], chapter: 'On Gentleness', 4:254 \$4807; and by Ahmad b. Ḥanbal in al-Musnad, 1:112 \$902.

Narrated by Ibn Mājah in al-Sunan: Kitāb al-manāsik [The Book of Pilgrimage Rites], 2:1008 §3029; al-Shaybanī in al-Sunna, p. 46 §98; and Ibn Abī Shayba

The beloved Messenger of God heheld the state of affairs until the Day of Resurrection and also foretold of terrorism that would be committed in the name of religion. Therefore, he not only distinguished jihad from murder, but also warned the Muslim *Umma* of those who would perpetrate violence and bloodshed in the name of religion. He clearly described the behaviour patterns and signs of these so-called *Mujāhidūn*, so as to remove all doubts about their heinous designs and evil intentions, that the *Umma* might not get deceived by their pious appearance and abundant worship and recitation of the Qur'ān. He urged the *Umma* to stay away from turmoil and ordered them to excise the cancerous growth of the Kharijites from the body of the *Umma*.

14.1 THE KHARIJITE TERRORISTS WILL APPEAR EXTREMISTS IN RELIGIOUS MATTERS

According to the prophetic traditions, the Kharijites will appear religious. They will look more constant in their prayers, fasting and other acts of worship than the rest of the Muslims. They will also seem stricter than others in their observance of the legal commands. The Messenger of God & said,

'Indeed, from the offspring of this man there shall emerge a folk whose tongues shall be moist from reciting God's Book, but it shall not go past their throats. They shall pass through the religion just as an arrow passes through a hunted game'.

Abū Sa'īd al-Khudrī 🔌 reported that the Prophet 🏙 said,

ın al-Muşannaf, 3:248 §13909.

¹ Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kitāb al-maghāzī [The Book of Military Expeditions], chapter: 'The Dispatch of 'Alī b. Abī Ṭālib and Khālid b. al-Walīd to Yemen before the Farewell Pilgrimage', 4:1581 \$4094; Muslim in al-Ṣaḥīḥ: Kitāb al-Zakāt [The Book of Zakat], Chapter: 'On the Kharijites and their Qualities', 2:742 \$1062; and Aḥmad b. Ḥanbal in al-Musnad, 3:4 \$11021.

إِنَّ لَهُ أَصْحَابًا يَخْفِرُ أَحَدُكُمْ صَارَقَهُ مَعَ صَارَعِهِمْ، وَصِيَامَهُ مَعَ صِيَامِهِمْ.

'[H]e has compatriots; you will belittle your prayers and fasting in comparison to theirs'.

It is reported from Abū Salama and 'Aṭā' b. Yasār & that they went to Abū Sa'īd al-Khudrī & and asked him about the Harūriyya, They asked, 'Did you hear the Prophet & say anything about them?' Abū Sa'īd replied, 'I don't know about the Harūriyya, but the Prophet & said,

"There shall appear a folk in this Umma", and he did not say "from it", "and you will belittle your prayers in comparison to theirs; they will read the Qur'an but it shall not pass their throats or larynxes. They shall pass through the religion just as an arrow passes through a hunted game".'2

In his commentary on this hadith, Ibn Ḥajar al-'Asqalānī wrote:

¹ Narrated by al-Bukhārī in al-Ṣahīh: Kitāb al-adab [The Book of Good Manners], chapter: 'What Has Come to Us About Someone Saying, "Woe to you!", 5:2281 §5811, and Kitāb istitāba al-murtaddīn wa al-mu'ānidīn wa qitālihim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'On the One Who Refrains from Fighting the Kharijites for the Sake of Drawing Hearts Near and so People Will Not Flee', 6:2540 §6534; and Muslim in al-Ṣahīḥ: Kitāb al-Zakāt [The Book of Zakat], chapter: 'On the Kharijites and Their Qualities', 2:744 §1064.

² Narrated by al-Bukhārī in al-Şahīh: Kitāb istitāba al-murtaddīn wa al-mu'ānidīn wa qitālihim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'On Fighting the Kharijites and Heretics after Establishing the Evidence against Them', 6:2540 §6532; Muslim in al-Ṣahīḥ: Kitāb al-Zakāt [The Book of Zakat], chapter: 'On the Kharijites and Their Qualities', 2:743 §1064.

مِنْ أُمْتِي فَسَنَدُهُ صَعِيْفٌ، لَكِنْ وَقَعَ عِنْدَ مُسْلِمِ مِنْ حَدِيْثِ أَبِي ذَرِّ بِلَفْظِ سَيَكُونُ بَ بَغْدِي مِنْ أُمْتِي قَوْمٌ وَلَهُ مِنْ طَهِقٍ نَلْدِ بْنِ وَهْبٍ عَنْ عَلِيْ: يَخْرُجُ قَوْمٌ مِنْ أَمْتِي وَيُخْمَعُ بَيْنَةً وَيَى حَدِيْثِ أَبِي سَعِيْدٍ: أَمَّةُ الْمُحَوَّةِ. وَالْمُعْمِ فِي حَدِيْثِ أَبِي سَعِيْدٍ: أَمَّةُ الْمُحَوَّةِ. وَالْمُعْمِ فِي حَدِيْثِ أَبِي سَعِيْدٍ: أَمَّةً اللَّعْوَةِ. قَالَ النَّوْمِيُّ: وَفِيْهِ ذَلَالًا عَلَى فِقْهِ الصَّحَابَةِ وَتَحْرِيْرِهِمُ الْأَلْفَاطُ، وَفِيْهِ إِشَارَةً مِنْ أَبِي سَعِيْدٍ إِلَى تَكْفِيْرٍ الْحَوَارِجِ، وَأَنْهُمْ مِنْ غَيْرٍ وَتَحْرِيْرِهِمُ الْأَلْفَاطُ، وَفِيْهِ إِشَارَةً مِنْ أَبِي سَعِيْدٍ إِلَى تَكْفِيْرٍ الْحَوَارِجِ، وَأَنْهُمْ مِنْ غَيْرٍ مَنْ أَبِي مَنْ عَلِيْ إِلَى تَكْفِيْرٍ الْحَوَارِجِ، وَأَنْهُمْ مِنْ غَيْرٍ مَلْهُمْ اللَّهُورِ الْمُؤْمِدِ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ اللَّهُ الْمُؤْمِدُ اللَّهُ الْمُؤْمِدُ اللْهُ اللَّهُ مِنْ أَنْ اللَّهُ الْعَالِمُ اللَّهُ الْمُعْمِ اللَّهُ اللَّهُ الْمُؤْمِ اللَّهُ اللَّهُ الْمُؤْمِ اللْهُ الْمُؤْمِ الْمُؤْمِ الْمُؤْمِ الْمُؤْمِ اللْمُؤْمِ اللَّهُ الْمُؤْمِ اللَّهُ الْمُؤْمِ اللْمُؤْمِ اللْمُؤْمِ اللْمُؤْمِ اللْمُؤْمِ اللْمُؤْمِ اللْمُؤْمِ اللْمُؤْمِ الْمُؤْمِ الْمُؤْمِ اللْمُؤْمِ اللْمُؤْمِ اللْمُؤْمِ اللْمُؤْمِ اللْمُؤْمِ اللْمُؤْمِ الْمُؤْمِ اللْمُؤْمِ اللْمُؤْمِ اللْمُؤْمِ الْمُؤْمِ اللْمُؤْمِ الْمُؤْمِ اللْمُؤْمِ اللْمُؤْمِ اللْمُؤْمِ الْمُؤْمِ الْمُؤْمِ الْمُؤْمِ اللْمُؤْمِ اللْمُؤْمِ اللْمُؤْمِ اللْمُؤْمِ الْمُؤْمِ الْمُؤْمِ اللْمُؤْمِ الْمُؤْمِ اللْمُؤْمِ الْمُؤْمِ الْمُؤْمِ الْمُل

There is no discrepancy in any of the rigorously authentic chains from Abū Sa'īd regarding his statement, 'and he did not say "from it".' ... As for the other wording narrated by al-Tabarī from Abū Sa'īd, 'from my Umma'. its chain is weak; however, there does appear in the hadith of Abū Dharr in Muslim the wording, 'There shall be a folk after me from my Umma'. And he also has another report from the route of Zavd b. Wahb, from 'Alī, which reads, 'There shall come a folk from my Umma'. This hadith is reconciled with Abū Sa'īd's by stating that the meaning of Umma in the hadith of Abū Sa'īd is the Umma of Response, and the meaning of Umma in the others' narrations is the Umma of Invitation, Al-Nawawi-may God have mercy upon him-said, 'This hadith indicates the deep understanding of the Companions and their exactitude in words. It also contains an indication from Abū Sa'īd that the Kharijites are charged with disbelief and are not from this Umma'. I

Ibn Ḥajar al-'Asqalānī further writes,

وَصَفَ عَاصِمٌ أَصْحَابَ نَجْدَةَ الْحَرُورِيِّ: بِأَنْهُمْ يَصُومُونَ النَّهَارَ، وَيَقُومُونَ اللَّيْلَ، وَيَأْخُلُونَ الصَّدَقَاتِ عَلَى السُّنَةِ. أَخْرَجَهُ الطَّبْرِيُّ. وَعِنْدَهُ مِنْ طَرِيْقِ سَتَلْيَمَانَ النَّيْمِيِّ

The 'Umma of Response' refers to those who have accepted the message of the Prophet and embraced Islam, whereas the 'Umma of Invitation' refers to the 'potential Umma', those who are invited to the religion, but have yet to embrace it. Ed.

عَنْ أَنَسْ ذُكِرَ عَنْ رَسُولِ اللَّهِ ﴿ إِلَّهُ إِنَّا فِيْكُمْ قَوْمًا يَدْأَبُونَ وَيَعْمَلُونَ حَتَّى يُعْجِبُوا النَّاسَ وَتَعْجِبُهُمْ أَنْقُسُهُمْ، وَمِنْ طَرِيْق حَفْص بْن أَجِي أَنَس عَنْ عَمِّهِ بِلَفْظِ: يَتَعَمُّقُونَ فِي الدِّيْنِ. وَفِي حَدِيْثِ ابْنِ عَبَّاسِ عِنْدَ الطُّبْرَائِيِّ فِي قِعَيْدِ مُنَاظَرَتِهِ لِلْحَوَارِج قَالَ: فَاتَيْتُهُمْ فَدَعَلْتُ عَلَى قَوْم لَمْ أَرَ أَشَدُ اجْتَهَادًا مِنْهُمْ. أَيْدِيْهِمْ كَأَنْهَا ثَفِنُ الْإبل، وَوْجُوهُهُمْ مُعَلَّمَةً مِنْ آثَارِ السُّجُودِ. وَأَخْرَجَ ابْنُ أَبِي شَيْبَةً عَنِ ابْنِ عَبَّاس أَنَّهُ ذُكِرَ عِنْدَهُ الْحَوَارِجُ وَاجْتِهَادُهُمْ فِي الْعِبَادَةِ، فَقَالَ: لَيْسُوا أَشَدُّ اجْتِهَادًا مِنَ الرُّهْبَانِ. 'Aşim described the traits of Najda al-Harūrī, sayıng 'they fast through the day and pray through the night and collect the alms according to the Sunna'. This was narrated by al-Tabari, who has another report from the route of Sulayman al-Taymi from Anas who mentioned that the Messenger of God & said, 'Amongst you are a folk who persevere and strive until they amaze people and their own egos amaze themselves'. This is reported from the route of Hafs, Anas' nephew, from his uncle, with the wording: 'They will absorb themselves deeply in the religion [vata'ammaaun]'. Al-Tabarani narrates the story of Ibn 'Abbas' debate with the Kharijites, in which Ibn 'Abbas said, 'I went to them and I had never seen a people more assiduous in their efforts. Their hands resembled the feet of camels [thick and rough] and the marks of prostration were prominent upon their faces'. Ibn Abī Shavba narrated that when someone mentioned the Kharijites and their efforts in the presence of Ibn 'Abbas, he said, 'They are not as hard working as the monks!'1

Shabbīr Aḥmad 'Uthmānī has also included this research in his Fath al-Mulhim (5:159).

According to the description given in the traditions, the first denigrator of the beloved Messenger of God , 'Abd Allāh b. Dhī al-Khuwaysira al-Tamīmī, the chief of the extremists, had a mark

Ibn Hajar al-'Asgalānī, Fath al-Bārī, 12:289.

of prostration on his face and signs of extensive worship, and had thick, coarse beard.'

Zayd b. Wahb al-Juhanī reported that he was amongst those in the army who were allied with 'Alī. 'Alī said,

أَيُهَا النَّاسُ، إِنِّي سَمِعْتُ رَسُولَ اللهِ ﴿ يَهُولُ: يَخْرُجُ قَوْمٌ مِنْ أَمْتِي يَفْرَهُونَ الْقُرْآنَ لَيْسَ قِرَاءَتُكُمْ إِلَى قِرَاءَتِهِمْ بِشَيءٍ، وَلَا صَلَاتُكُمْ إِلَى صَلَاتِهِمْ بِشَيءٍ، وَلا صِيَامُكُمْ إِلَى صِيَامِهِمْ بِشَيءٍ، يَقْرَءُونَ الْقُرْآنَ يَحْسِبُونَ أَنَّهُ لَهُمْ، وَهُوَ عَلَيْهِمْ لَا تُجَاوِزُ صَلَائَهُمْ تَرَاهِيَهُمْ. يَعْرَفُونَ مِنَ الْإِسْلَامِ كُمَا يَمْرُقُ السَّهُمْ مِنَ الرَّمِيَّةِ.

'O people! Indeed, I heard the Messenger of God say, "There shall be a folk that comes from my *Umma* and they will recite the Qur'ān—your recitation will not be comparable to theirs, or your prayers or fasting to theirs. They will recite the Qur'ān and believe it supports them but [in reality] it is against them. Their prayers will not go past their throats. They will exit from the religion just as an arrow exits from a hunted game".'2

Shabbīr Aḥmad 'Uthmānī commented:

قَوْلُهُ عَلَيْهِ: يَخْسِبُونَ أَنَّهُ لَهُمْ إِلَىٰ؛ أَيْ: هُمْ يَخْسِبُونَ أَنَّ الْقُرْآنَ خَجَّةً لَهُمْ فِي إِثْبَاتِ دَعَاوِيْهِمُ الْبَاطِلَةِ، وَلَيْسَ كَذَلِكَ، بَلْ هُوَ خَجَّةً عَلَيْهِمْ عِنْدَ اللَّهِ تَعَالَى. وَفِيهِ إِشَارَةً إِلَى أَنَّ مِنَ الْمُسْلِمِيْنَ مَنْ يَخْرُجُ مِنَ الدِّيْنِ مِنْ غَيْرٍ أَنْ يَقْصِدَ الْخُرُوجَ مِنْهُ، وَمِنْ غَيْرِ أَنْ يَخْتَارَ دِيثًا عَلَى دِيْنَ الْإِسْلَامِ.

¹ Narrated by al-Bukhārī in al-Ṣaḥīb: Kıtāb al-maghāzī [The Book of Mılıtary Expeditions], chapter: 'The Dispatch of 'Alī b. Abī Ṭālib and Khālid b. al-Walīd to Yemen before the Farewell Pilgrimage', 4:1581 \$4094; and Muslim in al-Ṣaḥīh: Kitāb al-Zakāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:742-743 \$1064.

² Narrated by Muslim in al-Şahīh: Kıtāb al-Zakāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:748 \$1066; Abū Dāwūd in al-Sunan: Kıtāb al-Sunna, chapter: 'On Fighting the Kharijites', 4:244 \$4768; al-Nasā'ī in al-Sunan al-kubrā, 5:163 \$8571; Ahmad b. Ḥanbal in al-Musnad, 1:91 \$706; and 'Abd al-Razzāq in al-Musannaf, 10:147.

The Prophet's statement, '... and believe it supports them...', means that they believe that the Qur'an is a proof for them in affirming their false claim, whereas that is not the case. Rather, it is a proof against them in the sight of God Most High. This also indicates that there are some amongst the Muslims who exit the religion without intending to do so, and without consciously choosing another religion over Islam."

14.2 THE SLOGANS OF THE KHARIJITES WILL SEEM TRUE AND APPEALING TO THE COMMON MAN

The Kharijites will pay lip service to the religion and raise 'Islamic' slogans, but their intentions will be evil. No one should be fooled by their pro-Islamic rhetoric and outward appearance; their aim will be to create disunity within the Muslim *Umma*, spread misconceptions and foment turmoil. 'Alī & reported that the Messenger of God said,

'They will speak the words of the best of people [just to mislead people]'.2

Ibn Ḥajar al-'Asqalānī says in his commentary upon this hadith,

'[These words imply that the Kharijites will cite] the Qur'an [to validate their stance]. And the first phrase they used to justify their rebellion was, "There is no

¹ Shabbīr Aḥmad 'Uthmānī, Fath al-Mulhim, 5:167.

² Narrated by al-Bukhārī in al-Şahīh: Kitāb istitāba al-murtaddīn wa al-muranidīn wa qitālihim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'On Fighting the Kharijites and the Heretics after Establishing the Evidence against Them', 6:2539 \$6531; and Muslim in al-Şahīh: Kitāb al-Zakāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:746 \$1066.

judgement but for God [they put across their manifesto in the garb of Islam]", and they drew this from the Qur'ān and interpreted it incorrectly'.

A similar commentary was mentioned by 'Abd al-Raḥmān Mubārakpūrī in his commentary on al-Tirmidhī's Sunan called Tuhfat al-ahwadhī.²

'Ubayd Allāh b. Abī Rāfi', the freed bondsman of the Messenger of God , reported:

أَنُّ الْحَرُورِيَّةَ لَمُا حَرَجَتْ وَهُوَ مَعَ عَلِيِّ بْنِ أَبِي طَالِبٍ عَلَى، قَالُوا: لَا خَكُمَ إِلَّا لِلْهِ.
قَالَ عَلِيٍّ: كَلِمَةُ حَقِّ أَرْبَةَ بِهَا بَاطِلَ، إِنْ رَسُولَ اللهِ فَلَى وَصَفَ نَاسًا إِلَى لَأَغْرِفُ
مِفَتَهُمْ فِي هَوْلَاءِ يَقُولُونَ الْحَقَّ بِالْسِتِهِمْ لَا يَجُوزُ هَذَا مِنهُمْ وَأَشَارَ إِلَى حَلْقِهِ، مِنْ
أَبْغَضِ حَلْقِ اللهِ إِلَيْهِ مِنهُمْ أَسْوَدُ إِحْدَى يَدَيْهِ طَنِي شَاةٍ أَوْ حَلَمَةُ ثَدْي، فَلَمَا قَعَلَهُمْ
عَلَى بْنُ أَبِي طَالِبٍ عِلَى قَالَ: انْظُرُوا، فَنَظُرُوا فَلَمْ يَجِدُوا شَيْنًا. فَقَالَ: ارْجِعُوا فَوَاللهِ،
مَاكَذَبْتُ وَلَا كُذِبْتُ مُرْتَئِنِ أَوْ فَلَاكًا ثُمْ وَجَدُوهُ فِي حَرِيَةٍ فَأَنْوَا بِهِ حَلَى وَصَعُوهُ بَيْنَ
يَدَيْهِ. فَالَ غَبِيْدُ اللهِ: وَأَنَا حَاضِرٌ. ذَلِكَ مِنْ أَمْرِهِمْ وَقَوْلِ عَلَى فِيهِمْ.

'When the Kharijites started their rebellion, I was with 'Alī when they uttered, "There is no judgment but for God". He reported that 'Alī said, "A word of truth by which falsehood is intended. Indeed, the Messenger of God described some people, and I certainly recognize their qualities in these folk. They speak the truth with their tongues but it does not pass this from them (and he pointed at his throat). They are from the most despised of creation in the sight of God. Amongst them is a man of dark complexion who has a hand like the teat of a goat or like a nipple of a breast". When 'Alī b. Abī Tālib killed them he said, "Go look for him [his corpse]", and so they looked but did not find anything. He then said twice or thrice, "Go back, for by God, I have neither lied

^I Ibn Ḥajar al-'Asqalānī<u>, Fath al-Bārī,</u> 6:619.

² Abd al-Raḥmān Mubārakpūrī, Tuhfat al-ahwadhī, 6:354.

nor been lied to". Afterwards they found his body in'a heap and brought it to 'Alī, placing it right in front of him. I witnessed all this: from his command until the time they found him'. I

Imam al-Nawawi mentioned on the above narration,

'What this means is that the phrase is based on the truth, as God Most High said "Indeed, the judgement is for God alone"; however, their intention with this phrase was to censure 'Alī & for his arbitration'.

A similar explanation was mentioned by Shabbīr Aḥmad 'Uthmānī in his commentary, Fath al-Mulhim (5:169).

Țăriq b. Ziyād said,

'We went out with 'Alī & to fight against the Kharijites. After he killed them he said, "Observe, the Prophet of God & said, 'There shall appear a folk who speak the truth but it will not pass their throats'".'4

These traditions prove that the Kharijites raise their slogans to accomplish their extremist designs, and that behind them are nefarious objectives for which they must be exposed so that people do not go astray.

¹ Narrated by Muslim in al-Şahīh: Kitāb al-Zakāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:749 \$1066; al-Nasā'ī in al-Sunan al-kubrā, 5:160 \$8562; and Ibn Ḥibbān in al-Ṣahīh, 15:387 \$6939.

² Qur'ăn 6:57.

³ Yaḥyā al-Nawawī, Sharḥ Şahīh Muslim, 7:173-174.

⁴ Narrated by al-Nasā'ī in al-Sunan al-kubrā, 5:161 \$8566; and by Ahmad b. Hanbal in al-Musnad, 1:107 \$848.

14.3 THE KHARIJITES WILL BRAINWASH YOUNG PEOPLE AND USE THEM FOR TERRORIST ACTIVITIES

The Prophet mentioned that the Kharijites would be young in age and use brainwashed youth to carry out their evil designs. 'Alī reported that he heard the Messenger of God say,

سَيَخُرُجُ قَومٌ فِي آخِرِ الزَّمَانِ، أَخدَاثُ الْأَسْنَانِ، سُفَهَاءُ الْأَخْلَامِ، يَقُولُونَ مِنْ خَيْرِ فَوْلِ الْبَرِيَّةِ، لَا يُجَارِزُ إِيْمَانُهُمْ حَنَاجِرَهُمْ، يَمْرُفُونَ مِنَ اللَّيْنِ كَمَا يَمْرُقُ السُهُمُ مِنَ الرَّمِيَّةِ، فَأَيْنَمَا لَقِيْتُمُوهُمْ فَاقتُلُوهُمْ، وَلَنْ فِي قَنْلِهِمْ أَجْرًا لِمَنْ فَسَلَهُمْ يَوْمَ الْقِيَامَةِ.

'At the end of time there shall appear a folk, young in age and foolish. They will speak the words of the best of people [just to mislead people], but their faith will not pass their throats. They shall pass through Islam just as an arrow passes through a hunted game. Kill them wherever you find them [during war], for the one who kills them will be rewarded on the Day of Resurrection'.'

Imam al-Tirmidhī narrated from Ibn Mas'ūd & in al-Sunan:

يَخُرُجُ فِي آخِرِ الزَّمَانِ قَوْمٌ أَخْدَاثُ الْأَسْنَانِ، سُلَهَاءُ الْأَخْلَامِ، يَقْرَءُونَ القُرْآنَ، لَا يُجَاوِزُ تَرَاقِيَهُمْ. يَقُولُونَ مِنْ قَوْلِ حَيْرِ الْبَرِيَّةِ. يَمْرُقُونَ مِنَ الدِّيْنِ كَمَا يَمْرُقُ السَّهُمُ مِنَ الرَّمِيَّةِ.

'At the end of time there shall appear a folk, young in age and foolish [so their brainwashing will not pose any

Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kitāb istitāba al-murtaddīn wa al-mu'ānidīn wa qitālihim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'On Fighting the Kharijites and the Heretics after Establishing the Evidence against Them', 6:2539 §6531; Muslim in al-Ṣaḥīḥ: Kitāb al-Zakāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:746 §1066; Ahmad b. Ḥanbal in al-Musnad, 1:81, 113-131 §§616, 912, 1086; al-Nasāt in al-Sunan: Kitāb taḥrīm al-dam [The Book on the Prohibition of Bloodshed], chapter: 'Regarding the One Who Unsheathes His Sword and Wields it amongst People', 7:119 §4702; and Ibn Mājah in al-Sunan: 'Introduction', section: 'Mention of the Kharijites', 1:59 §168.

problem]. They will recite the Qur'an but it will not pass their throats. They will speak the words of the best of people [just to mislead people], but they shall pass through Islam just as an arrow passes through a hunted game'.

The phrases 'ahdāth al-asnān' and 'sufahā' al-ahlām' used in the two hadith reports indicate that the Kharijites will be young and use young people for their heinous acts of terrorism. Similarly, the Qur'ān also calls the foolish 'sufahā''. God says,

'And do not give the foolish your wealth that God has made a means of support for you'.2

Ibn Ḥajar al-'Asqalānī said,

قَوْلُهُ ﷺ: أَخْدَاتٌ، وَالْحَدَثُ هُوَ الصَّعِيرُ السَّنِّ، هَكَذَا فِي أَكْثَرِ الرَّوَايَاتِ، وَوَقَعَ لِهَن لِلْمُسْتَمْلِي، وَالسَّرَخْسِيِّ حُدَّاتٌ قَالَ فِي الْمَطَالِعِ: مَعْنَاهُ شَبَابٌ. فَوْلُهُ ﷺ: سُفَهَاءُ الأَخَلَامِ وَالْمُعْنَى أَنَّ عُشُولَهُمْ رَدِيْنَةً.

The Propher's statement, 'ahdāth', means someone who is young in age—and this is how it appears in most of the narrations. In the version of al-Mustamlī and al-Sarakhsī, it reads 'huddāth', and the author of al-Maṭālt' said that it means youth.'... 'The Prophet's statement , 'sufahā' al-ahlām', means that those intellects [who are engaged in brutal terrorist activities] are deficient in intellects.

Badr al-Dīn al-'Aynī said:

¹ Narrated by Ahmad b. Ḥanbal in al-Musnad, 5:36, \$44; al-Ḥākim in al-Mustadrak, 2:159 \$2645; Ibn Abī ʿĀṣim in al-Sunna, 2:456 \$937; al-Bayhaqī in al-Sunan al-kubrā, 8:187; and al-Daylamī in Musnad al-firdaws, 2:322 \$3460.

² Qur'ān 4:5.

³ Ibid.

الرَّوَايَاتِ: أَخْدَاثُ الْأَسْنَانِ، وَهُوَ صَغِيرُ السِّنِّ. وَقَالَ ابْنُ الْأَيْدِ: حَدَاثَةُ السُّنِّ كِتَايَةُ عَنِ الشَّبَابِ، وَأَوْلُ الْغُمْرِ. وَالْمُرَادُ بِالْأَسْنَانِ الْغَمْرُ يَغْنِي أَنْهُمْ شَبَاتٍ. فَوْلُهُ ﷺ: شُفَهَاءُ الْأَخْلَامِ يَمْنِي غُفُولُهُمْ رَدِيْنَةً.

The Prophet's statement, 'huddāth al-asnān', is how it appears in the narration of al-Mustamlī and al-Sarakhsī, but in most narrations it says 'aḥdāth al-asnān', which means someone who is young in age. Ibn al-Athīr said, '"hadātha al-sinn" is a metonym that implies young age and adolescence, and "asnān" means age, so in other words they are youth'. The phrase, 'sufahā' al-aḥlām', implies mentally deficient are the brainwashed.

'Abd al-Raḥmān Mubārakpūrī also held the position that 'ahdāth al-asnān' denotes youth.2 Shabbīr Ahmad 'Uthmānī said,

قَوْلُهُ: أَخْدَاثُ الْأَسْنَانِ إِلَخْ: وَالْحَدَثُ هُوَ: الصَّيْشُرُ السَّنِّ، هَكَذَا فِي أَكْثَرِ الرَّوَايَاتِ، وَوَقَعَ فِي يَغْضِهَا حُدَّاتٌ. قَالَ فِي الْمَطَالِعِ: مَعْنَاهُ شَبَاتٍ. . . . وَالْأَسْنَانُ جَمْعُ سِنَّ، وَالْمُرَادُ بِهِ الْهُمْرُ، وَالْمُرَادُ: أَنَّهُمْ شَبَاتٍ.

Regarding the phrase, 'ahdāth al-asnān', the word hadath means the one who is young in age—and this is how the word appears in most narrations. In some variations, however, it reads, 'huddāth'. The author of al-Maṭāli' said that it means youth. . . . And al-asnān is the plural of sinn, which means age; and so the phrase means that they [who perpetrate terrorism] are young.

These explanations by the hadith scholars illustrate that ahdāth al-asnān and sufahā' al-aḥlām are not people who suffer from insanity, properly speaking, but rather they are brainwashed, immature youth. If we observe the current upsurge of terrorism committed in the name of Islam, we will realize that the prophecy of God's Messenger has become a tangible reality.

¹ Badr al-Dīn al-'Aynī, 'Umdat al-qārī, 16:208–209.

² Abd al-Raḥmān Mubārakpūrī, Tuhfat al-ahwadhī, 6:353.

14.4 THE KHARIJITES WILL APPEAR FROM THE EAST

The Prophet A also prophesied that the Kharijites would emerge from the east. Abū Sa'īd al-Khudrī & reported that the Prophet said,

'A people shall appear from the east; they shall recite the Qur'ān but it will not pass their throats. They shall pass through the religion just as an arrow passes through a hunted game, never to return until an arrow returns to its bowstring'. I

Yusayr b. 'Amr & asked Sahl b. Ḥunayf &, 'Did you ever hear the Messenger of God & say anything about the Kharijites?' Sahl replied,

'Yes, I heard him, and he pointed towards the east [and said], "There shall appear a folk who will recite the Qur'an with their tongues but it will not pass their throats. They shall pass through the religion just as an arrow passes through a hunted game".'2

'Abd Allāh b. 'Umar & said, 'I once heard the Messenger of God say, while standing upon the pulpit,

¹ Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kitāb al-tawhīd [The Book of Divine Unity], chapter: 'The Recitation, Articulation and Reading of the Reprobate and Hypocrite [Reading the Qur'ān] Does Not Pass Beyond Their Throats', 6:2748 \$7123; Aḥmad b. Ḥanbal in al-Musnad, 3:64 \$11632; Ibn Abī Shayba in al-Musnaf, 7:563 \$37397; Abū Ya'lā in al-Musnad, 2:408 \$1193; and al-Tabarānī in al-Mu'am al-kabīr, 6:91 \$5609.

² Narrated by Muslim in al-Şahīh: Kstāb al-Zakāt [The Book of Zakat], chapter: 'The Kharintes are the Worst of Creation', 2:750 \$1068.

ألَا إِنَّ الْفِقْلَةَ هَا هُنَا - يُشِيْرُ إِلَى الْمَشْرِقِ - مِنْ حَيْثُ يَطْلُعُ قَرْنُ الشَّيْطَانِ.

"Beware, the tribulation shall appear from here [and he pointed to the east]; from there the horn [i.e., generation] of Satan shall rise"."

Besides being told of the impending appearance of the Kharijites, the Companions were also informed of the region and location from where they would emerge. In another hadith reported by 'Abd Allāh b. 'Umar, the Messenger & also disclosed the name of this eastern region. Ibn 'Umar said,

ذُكْرَ النَّبِيُ ﷺ: اَللَّهُمُّ بَارِكَ لَنَا فِي شَامِنَا، اَللَّهُمَّ بَارِكُ لَنَا فِي يَمَنِنَا. قَالُوا: يَا رَسُولَ اللهِ، وَفِي نَجْدِنَا؟ قَالَ: اللَّهُمَّ بَارِكُ لَنَا فِي شَامِنَا، اللَّهُمُّ بَارِكُ لَنَا فِي يَمَنِنَا. قَالُوا: يَا رَسُولَ اللهِ، وَفِي نَجْدِنَا؟ فَأَظْنُهُ قَالَ فِي الثَّالِقَةِ: هُنَاكَ الزَّلَازِلُ وَالْهَنَّنُ، وَبِهَا يَطْلُمُ قَرْنُ الشَّيْطَانِ.

'The Prophet said, "O God! Bless for us our Levant. O God! Bless for us our Yemen". Some people said, "O Messenger of God! And our Najd?" The Prophet said, "O God! Bless for us our Levant. O God! Bless for us our Yemen". Some people said [once more], "O Messenger of God! And our Najd?" I think the third time around he said, "There [in Najd] shall occur the earthquakes and tribulations, and there shall rise the horn [i.e., generation] of Satan".'2

Narrated by al-Bukhārī in al-Ṣahīḥ: Kitāb al-manāqib [The Book of Exemplary Virtues], chapter: 'On the Ascription of Yemen to Ishmael ﷺ', 3:1293 §3320; Muslim in al-Ṣahīḥ: Kitāb al-fitan wa ashrāṭ al-sā'a [The Book of Tribulations and the Portents of the Final Hour], chapter: 'Tribulation is from the East and from There the Horn of Satan Shall Rise', 4:2229 §2905; Mālik in al-Muwaṭṭā: Kitāb al-istì'dhān [The Book on Seeking Permission], chapter: 'What Has Come to Us Regarding the East', 2:975 §1757; and Ahmad b. Hanbal in al-Musnad, 2:73 §5428.

² Narrated by al-Bukhārī in al-Ṣahīh: Kitāb al-fitan [The Book of Tribulation], chapter: 'The Saying of the Prophet , "Tribulation Shall Appear from the East", 6:2598 §6681; al-Firmidhī in al-Sunan: Kitāb al-manāqib [The Book of Exemplary Virtues], chapter: 'The Virtues of the Levant and Yemen', 5:733

The meaning of this narration materialized during the reign of our master, 'Alī, when the first faction of the Kharijites came rom Najd and Harūrā, east of the Sacred Sanctuaries [of Mecca and Medina]. From there they started the blameworthy trend of errorism, and the Prophet informed us that they would appear n every era.

Geographically, Pakistan is also situated east of the Sacred Sanctuaries and its direction of prayer [qibla] lies in the west as it s east of the Kacba. The term 'east' has been used in the traditions n a general sense, and so its application may not be fixed in sarticular. The terrorists who are active in Pakistan possess all he traits of the Kharijites and have wreaked havoc in the land hrough bloodshed, suicide bombings and indiscriminate carnage.

14.5 THE KHARIJITES WILL CONTINUE TO APPEAR UNTIL THE EMERGENCE OF THE ANTI-CHRIST

Bharīk b. Shihāb & said.

كُنتُ آتَمَنَى أَنْ أَلْقَى رَجُلًا مِنْ أَصْحَابِ النّبِيّ فَهُ أَسْأَلُهُ عَنِ الْحَوَارِجِ، فَلَقِبْتُ أَبَا

بَرْزَةَ فِي يَومِ عِبْدِ فِي نَقَرِ مِنْ أَصْحَابِهِ، فَقُلْتُ لَهُ: هَلْ سَمِعْتَ رَسُولَ اللهِ فَهِي يَدُكُرُ

الْحَوَارِجَ؟ فَقَالَ: نَعَمْ، سَمِعْتُ رَسُولَ اللهِ فَهُ بِأَذْنِي وَرَأَيْتُهُ بِعَنِيى، أَبِي رَسُولُ اللهِ فَهُ إِلْذَنِي وَرَأَيْتُهُ بِعَنِيى، أَبِي رَسُولُ اللهِ فَهُ إِلَيْ اللهِ عَلَى اللهِ اللهُ عَلَى اللهِ اللهِ عَلَى اللهُ اللهُ عَلَى اللهُ عَلَى اللهُ اللهِ عَلَى اللهُ اللهُ اللهُ عَلَى اللهُ اللهُ اللهُ عَلَى اللهُ اللهُ عَلَى اللهُ اللهُ عَلَى اللهُ اللهُ اللهُ عَلَى اللهُ اللهُ اللهُ عَلَى اللهُ اللهُ اللهُ عَلَى اللهُ اللهُ اللهُ اللهُ عَلَى اللهُ لِ اللهُ ا

^{13953;} Ahmad b. Hanbal in *al-Musnad*, 2:118 \$5987; and Ibn Hibbān in *al-lahīh*, 16:290 \$7301.

'For the longest I was eager to meet a man from the Companions so I could ask him about the Kharijites. Finally, I met Abū Burza during the day of Eid as he was with a group of his associates. I asked him, "Did you ever hear the Messenger of God mention the Kharijites?" He replied, "Yes. I heard the Messenger of God with my own ears and saw him with my own eyes. One time some wealth was brought to the Messenger of God . so he apportioned it. He gave to those on his right and those on his left, but he did not give any to those who were behind him. Suddenly, a man stood up behind him and said, "O Muhammad! You have not acted justly in your apportioning". He was a man of dark complexion with a large head of hair, wearing two white garments. The Messenger of God hecame severely angry and said. "By God! You shall not find any after me who is more just than I". Then he said, "At the end of time there will appear a folk-and this one was from them. They shall recite the Qur'an but it will not pass their throats. They shall pass through the religion just as an arrow passes through a hunted game. Their notable feature is shaven heads. They shall continue to appear until the last of them appears with the Anti-Christ [al-Dajjāl]; so you should kill them when you encounter them [in the battlefield]. They are the most evil of the creation".'1

Abd Allāh b. 'Amr b. al-'Āṣ ﷺ reported that the Prophet ﷺ said,

سَيَخْرُجُ أَنَاسٌ مِنْ أَمْتِي مِنْ قِبَلِ الْمَشْرِقِ يَقْرَءُونَ الْقُرْآنَ لَا يُجَاوِزُ تَرَاقِيهُمْ، كُلْمَا

حَرَجَ مِنهُمْ قَرْنٌ قُطِعَ كُلَّمَا حَرَجَ مِنهُمْ قَرْنٌ قُطِعَ حَتَى عَلَّمَا زِيَادَةً عَلَى عَشْرَةِ

مَرَاتٍ، كُلْمًا حَرَجَ مِنهُمْ قَرْنٌ قُطِعَ حَتَى يَحْرُجَ الدَّجُالُ فِي بَقِيْتِهِمْ.

Narrated by Ahmad b. Ḥanbal in al-Musnad, 4:421; al-Nasā'ī in al-Sunan: Citāb taḥrīm al-dam [The Book on the Prohibition of Bloodshed], chapter: Regarding the One Who Unsheathes His Sword and Wields it amongst People', :119 \$4103; al-Nasā'ī in-al-Sunan al-kubrā, 2:312 \$3566; al-Bazzār in al-Musnad, 9:294 \$3846; and al-Ṭayālisī in al-Musnad, 1:124 \$923.

'There shall appear a group of people from my *Umma* in' the direction of the east. They will recite the Qur'ān but it will not pass their throats. Every time a generation of them appears it will be cut down, every time a generation of them appears it will be cut down, every time a generation of them appears it will be cut down, every time a generation of them appears it will be cut down ['Abd Allāh said, 'He said that more than ten times']—until the Anti-Christ appears from their last remnants'.

When the Prophet said, 'they shall continue to appear', he eliminated all possible doubts that the Kharijites would appear only once. The first appearance of the Kharijites during the reign of our master 'Alī was but their vanguard. Whenever and wherever they rise, they take up arms against the Muslim states and massacre peaceful citizens. Terrorism is their mark of distinction, and the word qarn [generation] has been used in the traditions to refer to a well organized group of people in a generation. Lexically, however, qarn also denotes a horn. Animals with horns use them as weapons against an enemy or threat. Metaphorically, qarn refers to armed rebellion. Qarn al-Shaytān means that weapons will be used to fulfil evil objectives, as taking peaceful life and fomenting turmoil are two of the most sought-after goals of Satan.

'Abd Allah b. 'Umar & reported that the Messenger of God & said.

'Every time a generation of them appears it will be cut down—this will occur over twenty times—until the Anti-Christ appears in their last remnant'.2

¹ Narrated by Ahmad b. Ḥanbal in al-Musnad, 2:198 §6871; al-Ḥākim in al-Mustadrak, 4:533 §8497; Nu'aym b. Ḥammād in al-Fitan, 2:532; Ibn Rāshid in al-Jāmi', 11:377; and al-Ājurtī in al-Shart'a, p. 113 §260.

² Narrated by Ibn Mājah in *al-Sunan*: 'Introduction', section, 'Mention of the Kharijites', 1:61 §174.

14.6 THE KHARIJITES WILL EXIT FROM THE RELIGION 'All & said, 'I heard the Messenger of God & say,

يَمْرُقُونَ مِنَ الدِّين كَمَا يَمْرُقُ السُّهُمُ مِنَ الرُّمِيَّةِ.

"They shall pass through the religion just as an arrow passes through a hunted game"."

Imam al-Tirmidhī narrates in al-Sunan from 'Abd Allāh b. Mas'ūd who reported that the Messenger of God said,

'They shall pass through Islam just as an arrow passes through a hunted game'.2

Interpreting this hadith, Badr al-Dīn al-'Aynī said:

فَوْلُهُ ﷺ: يَمْرُقُونَ مِنَ الدِّيْنِ مِنَ الْمُرُوقِ وَهُوَ الْمُحُرُوخِ. يُقَالُ: مَرَقَ مِنَ الدِّيْنِ مُرُوقًا خَرَجَ مِنْهُ بِبِدْعَتِهِ وَصَلَالَتِهِ. وَفِي رِوَايَةِ شُونِدِ بْنِ خَفَلَةً عِنْدَ النَّسَائِيِّ وَالطَّبَرِيِّ: يَمْرُقُونَ مِنَ الْإِسْلَامِ، وَفِي رِوَايَةٍ لِلنَّسَائِيِّ: يَمْرُقُونَ مِنَ الْحَقِّ.

The Prophet's statement , 'They shall pass through the religion', uses the word muraq, which is to exit. It is said, 'So-and-so exited the religion [maraqa],' when he left it due to his blameworthy innovation and misguidance. In the narration of Suwayd b. Ghafla in the collections of

¹ Narrated by al-Bukhārī ın al-Ṣaḥīḥ: Kitāb istitāba al-murtaddīn wa al-mu'ānidīn wa qitālihim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'On Fighting the Kharijites and the Heretics after Establishing the Evidence against Them', 6:2539 §6531; Muslim in al-Ṣaḥīḥ: Kitāb al-Zaḥāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:746 §1066; al-Nasāʾī in al-Sunan: Kitāb taḥrīm al-dam [The Book on the Prohibition of Bloodshed], chapter: 'Regarding the One Who Unsheathes His Sword and Wields it amongst People', 7:119 §4102; Ibn Mājah in al-Sunan: 'Introduction', section: 'On Mention of the Kharijites', 1:59 §168; and Aḥmad b. Ḥanbal in al-Musnad, 1:81, 113, 131 §§616, 912, 1086.

² Narrated by al-Tirmidhi in al-Sunan: Kıtāb al-fitan [The Book of Tribulations], chapter: 'Concerning the Trait of Renegades [al-māriqa]', 4:481 \$2188.

al-Nasā'ī and al-Tabarī, it says, 'They shall pass through Islam....' and in al-Nasā'ī's narration it reads, 'They shall pass through the truth'.

In addition, Anwar Shah Kashmīrī said in his commentary,

ٱلْمُرُوقُ هُوَ الْخُرُوجُ مِنْ حَيْثُ لَا يَدْري.

'Murūq is to unknowingly exit something'.2

14.7 THE KHARIJITES WILL BE THE DOGS OF HELL

The Messenger of God & declared the Kharijites the dogs of Hell. Abū Ghālib reported that Abū Umāma & said,

كِلَابُ النَّارِ شَرُّ قَتَلَى تَحْتَ أَدِيْمِ السَّمَاءِ خَيْرٌ فَتَلَى مَنْ فَتَلُوهُ ثُمْ قَرَأَ: ﴿يَوْمَ تَنْبَصُّ وَجُوةٌ وَتَسْوَدُّ وَجُوهٌ ﴾ إِلَى آخِرِ الآيَّةِ. قُلْتُ لِأَبِي أَمَامَةَ: أَنْتَ سَمِفَتُهُ مِنْ رَسُولِ اللهِ ﴿ قَالَ: لَوْ لَمْ أَسْمَعُهُ إِلَّا مَرَّةً أَوْ مَرَّيْنِ أَوْ فَلَاثًا أَوْ أَرْبَعًا حَتَّى عَدَّ سَبْعًا، مَا حَدُّتُكُمُوهُ.

'They are the dogs of Hell. They are the most evil of those slain under the heavens, and the best of those killed are those killed at their hands'. Then he recited the verse, 'On the Day when many faces will be bright and many will be dark. . . . '.' I asked Abū Umāma, 'Did you hear that from the Messenger of God ?' He replied, 'Had I not heard it once, twice, thrice, four times, five times, six times or seven times, I would not have narrated it to you all'.4

¹ Badr al-Dīn al-'Aynī, '*Umdat al-qārī*, 16:209.

² Shabbīr Ahmad 'Uthmānī, Fath al-Mulhim, 5:168.

³ Qur'ān 3:106.

⁴ Narrated by al-Tirmidhī in al-Sunan: Kitāb tafsīr al-Qur'ān [The Book of Qur'ānic Exegesis], chapter: 'From Sūra Āl 'Imrān', 5:226 §3000; Ahmad b. Ḥanbal in al-Musnad, 5:256 §22262; al-Ḥākim in al-Mustadrak, 2:163 §2655; al-Bayhaqī in al-Sunan al-kubrā, 8:188; and al-Ṭabarānī in Musnad al-Shāmiyyīn, 2:248 §1279.

Imam Ibn Abī Shayba, al-Bayhaqī and al-Tabarānī narrated from Abū Ghālib that Abū Umāma & said about the Kharijites,

كِلَابُ جَهَنَّمَ، شَرُّ قَتْلَى قُبِلُوا تَحْتَ ظِلَّ السَّمَاءِ، وَمَنْ قَتَلُوا خَيْرُ قَتْلَى تَحْتَ السَّمَاء.

'They are the dogs of the Hellfire, the most evil of those slain under the shade of the heavens. Whoever is killed by them is the best of those slain under the heavens. . . . ' **

Sa'īd b. Juhmān said,

كَانَتِ الْعَوَارِجُ قَدْ تَدْعُونِي حَتَّى كِدْتُ أَنْ أَدْخُلَ فِيْهِمْ، فَرَأْتُ أَخْتُ أَبِي بِلَالٍ فِي النَّرِمِ أَنْ أَبَا بِلَالٍ كَلْبُ أَهْلَبُ أَسْوَدُ عَنِمَاهُ تَلْرِفَانِ. فَقَالَتْ: بِأَبِي أَنْتَ يَا أَبَا بِلَالٍ مَا شَأَنْكَ أَرَاكَ هَكَذَا؟ فَقَالَ: جُعِلْنَا بَعْدَكُمْ كِلَابَ أَهْلِ الثَّارِ، وَكَانَ أَبُو بِلَالٍ مِنْ رُؤُوسِ الْحَوَارِجِ.

'The Kharijites used to invite me to their way until I almost joined them, until the sister of Abū Bilāl (one of the leaders of the Kharijites) beheld him in a dream vision in the form of a shaggy black dog whose eyes were moist with tears. She said to him, "May my father be sacrificed for you, Abū Bilāl! What is wrong with you, that I see you in this state?" He replied, "After you, we were turned into the dogs of the inhabitants of the Fire".'2

14.8 THE OUTWARD RELIGIOUS APPEARANCE OF THE KHARIJITES SHOULD NOT FOOL ANYONE

The Kharijites would adhere to a strict regimen of Qur'anic recitation, ritual prayers and fasting. They would speak extensively about asceticism, the transience of the world, fear of God and the

Narrated by Ibn Abī Shayba in al-Muşannaf, 7:554 \$37892; al-Tabarānī in al-Mu'jam al-kabīr, 8:267-268 \$\$8034, 8035; and al-Bayhaqī in al-Sunan al-kubrā, 8:188.

² Narrated by Ibn Abī Shāyba in *al-Musannaf*, 7:555 \$37895; and 'Abd Allāh b. Aḥmad in *al-Sunna*, 2:634 \$1509.

duty of enjoining good and forbidding evil—all outward signs of pious people. Ibn Mājah and Aḥmad b. Ḥanbal narrated from Abū Salama who said,

قُلْتُ لِأَبِي سَعِيْدِ الْحُنْوِيِّ ﷺ: هَلَ سَمِعْتَ رَسُولَ اللهِ ﷺ يَلْكُوْ فِي الْحَرُورِيَّةِ شَيْئًا؟ فَقَالَ: سَمِعْتُهُ يَلْكُوْ قَوْمًا يَتَعَبَّلُونَ (وَفِي رِوَايِةِ أَحْمَلَ: يَتَعَمَّقُونَ فِي الدَّيْنِ) يَخْقِرُ أَحَدُكُمْ صَلَاتُهُ مَعَ صَلَاتِهِمْ وَصَوْمَهُ مَعَ صَوْمِهِمْ.

'I said to Abū Sa'īd al-Khudrī &, "Did you hear the Messenger of God mention anything about the Harūriyya [i.e., Kharijites]?" He replied, "I heard him mention a folk who engage in much worship [and in the narration of Ahmad, 'they absorbed themselves deeply in the religion']; you will belittle your prayers and fasting in comparison to theirs".'

These outward displays of piety struck the Companions as ironic and confusing. In one narration reported by Imam al-Ḥākim and al-Nasā'ī, Ibn 'Abbās & mentioned that he had not seen anyone as ascetic and outwardly devout as them. He said,

فَٱتَيْنَتُهُمْ وَهُمْ مُجْتَمِعُونَ فِي دَارِهِمْ قَائِلُونَ، فَسَلَّمْتُ عَلَيْهِمْ. فَقَالُوا: مَرْحَبًا بِکَ يَا ابْنَ عَبَّاسٍ. قَالَ ابْنُ عَبَّاسٍ: وَأَنْيْتُ قَوْمًا لَمْ أَرَ قَوْمًا قَطُّ أَشَدُّ اجْتِهَادًا مِنْهُمْ. مُسْهَمَةً وَجُوهُهُمْ مِنَ السَّقَوِ كَأَنْ أَيْدِيهُمْ وَرَكِبُهُمْ ثُغْنَى عَلَيْهِمْ.

'So I went to see them [as he represented 'Alī 🟂] and they were gathered together in their home as they were speaking to one another. I greeted them with the salutations of peace [al-salām 'alaykum], and they replied, "Welcome, O son of 'Abbās!" [They did not wish peace to the Prophet's Companions.] I never saw a people more devout [outwardly] than them. Due to their prolonged nights of sleeplessness [in the night vigil prayer], their

¹ Narrated by Ibn Mājah in al-Sunan: 'Introduction', section: 'Mention of the Kharijites', 1:60 \$169; Aḥmad b. Ḥanbal in al-Musnad, 3:33 \$11309; and Ibn Abī Shayba in al-Muşannaf, 7:557 \$37909.

faces bore marks [of prostration] and their hands and knees were calloused'. I

Jundub b. 'Abd Allāh & said,

لَمُّنَا فَارَقَتِ الْخَوَارِجُ عَلِيُّا خَرَجَ فِي طَلَبِهِمْ وَخَرَجْنَا مَمَهُ، فَالتَهَيْنَا إِلَى عَسْكُو الْقَوْمِ فَإِذَا لَهُمْ دَوِيُّ كَدُويِ النَّحْلِ مِنْ فِرَاءَةِ القُرْآنِ، وفِيْهِمْ أَصْحَابُ الشَّهِنَاتِ وَأَصْحَابُ
الْبَرَائِسِ، فَلَمُّا رَأَيْنَهُمْ دَحَلَنِي مِنْ ذَلِكَ شِدَّةً فَتَنَحَيْثُ فُرَكُوْثُ رُمْحِي وَنَوَلْتُ عَنْ
فَرَسِي وَوَصَعْتُ بُرْنَسِي، فَنَشَرْثُ عَلَيْهِ دِرْعِي، وَأَخَلْتُ بِمِقْوَدٍ فَرَسِي فَقَمْتُ أَصَلِّي
إِلَى رُمْحِي وَأَنَا أَقُولُ فِي صَلَابِي: اللَّهُمُّ إِنْ كَانَ قِتَالُ خَوْلاءِ الْقَوْمِ، لَكَ طَاعَةً فَالذَنْ
لِي وُنْهِ، وَإِنْ كَانَ مَعْمِيةً فَأَرْنِي بَرَاءَتَكَ.

'When the Kharijites seceded from 'Alī, he went out in pursuit of them and we went with him. When we reached their troops, we heard a loud recitation of the Qur'ān that sounded like the buzzing of bees. Amongst them were some wearing loin cloths and mantles, and seeing them in that state [of ostensible piety], I had mixed feelings about fighting against them. I stuck my spear into the ground, dismounted from my steed, took off my mantle, spreading it out and placing my armour on it. I then took my steed by the reigns and started praying towards my spear [as a barrier]. During my prayer I said, "O God! If it is obedience to You to fight these folk, then give me permission to do it; and if it is disobedience, then show me a sign of Your disapproval"."

Jundub was so influenced by the apparent piety, asceticism and worship of the Kharijites that he was reluctant to fight them. Then he heard the prophetic traditions about them from our master 'Alī

¹ Narrated by al-Ḥākım ın al-Mustadrak, 2:164 §2656; al-Nasā'ī ın al-Sunan al-kubrā, 5:165 §8575; 'Abd al-Razzāq in al-Muşannaf, 10:146; al-Ṭabarānī ın al-Mu'jam al-kabīr, 10:257 §10598; and al-Bayhaqī in al-Sunan al-kubrā, 8:179.

² Narrated by al-Tabarānī in *al-Mu'jam al-awsat*, 4:227 \$4051; and cited by al-Haythamī in *Majmaʿ al-zāwāʾid*, 4:227; Ibn Hajar al-ʿAsqalānī in *Fatḥ al-Bārī*, 12:296; and al-Shawkānī in *Nayl al-awtār*, 7:349.

which proved true. That expanded his heart, gave him insight and strengthened his belief that they should be killed and eliminated.

The modern Kharijites appear to be pious and righteous servants of God; however, due to their inner states, anti-Islamic activities, unjust killings and terrorism, they are called the worst of creation. No doubt, they recite the Qur'ān, but they take the verses revealed about the disbelievers and apply them to the Muslims and declare them disbelievers. On the basis of their so-called doctrine, they justify the murder of peaceful people.

14.9 THE KHARIJITES ARE THE WORST OF CREATION

The Messenger of God , his Companions and their followers all declared the Kharijites the worst of creation. Al-Bukhārī narrated in his collection, in the chapter heading for the section, 'The Statement of God Most High, "God will not lead a people astray after having guided them until He makes clear to them that which they should avoid" [Qur'an 9:115], that Ibn 'Umar believed that they [the Kharijites] were the worst of God's creation. He said, 'They took the verses revealed about the disbelievers and applied them to the believers'.

Ibn Hajar al-'Asqalānī said in al-Fath:

وَصَلَهُ الطَّبَرِيُّ فِي مُسْنَدِ عَلِيٌّ مِنْ تَهْذِيْبِ الْآثَارِ مِنْ طَرِيْقِ بُكَيْرِ بْنِ عَبْدِ اللهِ بْنِ الْأَشَجُ: أَنَّهُ سَأَلَ نَافِقًا: كَيْفَ كَانَ رَأْيُ ابْنِ عُمَرَ فِي الْحَرُورِيَّةِ؟ قَالَ: كَانَ يَرَاهُمْ شِرَارَ عَلْقِ اللهِ، انْطَلَقُوا إِلَى آيَاتِ الْكُفَّارِ فَجَعَلُوهَا فِي الْمُؤْمِنِيْنَ.

قُلْتُ: وَسَنَدُهُ مَعِيْحٌ، وَقَدْ لَبَتَ فِي الْحَدِيْثِ الصَّحِيْحِ الْمَرْفُوعِ عِنْدَ مُسْلِمٍ مِنْ حَدِيْثِ أَبِي ذَرِّ عِلَيْنِ فِي وَصْفِ الْحَوَارِجِ: هُمْ شِرَارُ الْحَلْقِ وَالْحَلِيْقَةِ. وَعِنْدَ أَحْمَدَ بِسَنَدِ جَدِّدٍ عَنْ أَنَسَ مَرْفُوعًا مِثْلَهُ.

وَعِنْدَ الْمِزَّارِ مِنْ طَرِيْقِ الشَّغْمِيِّ عَنْ عَائِشَةً ﴿ قَالَتْ: ذَكَرَ رَسُولُ اللهِ ﴿ الْحَوَارِجَ فَقَالَ: هُمْ هِرَارُ أُمْتِي، يَقْتُلُهُمْ جِمَارُ أُمْتِي. وَسَنَدُهُ حَسَنٌ.

وَعِنْدَ الطَّنْرَائِيِّ مِنْ هَذَا الْوَجْهِ مَرْفُوهَا: هُمْ هِزَارُ الْحَلْقِ وَالْحَلِيْقَةِ يَقْتَلُهُمْ حَيْرُ الْحَلْقِ وَالْحَلِيْقَةِ. وَفِي حَدِيْثٍ أَبِي سَعِيْدٍ عِلِيْ عِنْدَ أَحْمَدُ: هُمْ شَرُّ الْبَرَّةِ. وَفِي حَدِيْثِ عَبْدِ اللهِ بْنِ حَبَّابٍ عِلَى يَغْنِي عَنْ أَيِنْهِ عِنْدَ الطَّبَرَانِيِّ: شَرُّ فَعَلَى أَ أَطْلَنْهُمُ السَّمَاءُ وَأَفَلْنَهُمُ الْأَرْضُ. وَفِي حَدِيْثِ أَبِي أَمَامَةً عِلَى نَخْوَهُ.

وَفِي رِوَايَةٍ عُبَيْدِ اللهِ بْنِ أَبِي رَافِعٍ عَنْ عَلِيٍّ ﴿ عِنْدَ مُسْلِمٍ: مِنْ أَبْغَضِ حَلْقِ اللهِ إِلَيْهِ.

وَعِنْدَ أَخْمَدَ وَابْنِ أَبِي شَيْبَةَ مِنْ حَدِيْثِ أَبِي بَرْزَةَ مَرْفُوعًا فِي ذِخْرِ الْحَوَارِجِ: شَرُ الْحَلْقِ وَالْحَلِيثَةِ يَقُولُهَا لَلَانًا. وَعِنْدَ ابْنِ أَبِي شَيْبَةً مِنْ طَرِيْقِ عُمَيْرِ بْنِ إِسْحَاقَ عَنْ أَبِي هُرَيْرَةً عِلِيْنَ هُمْ شَرُّ الْحَلْقِ. وَهَذَا مِمَّا يُؤَيِّدُ قَوْلَ مَنْ قَالَ بِكُفْرِهِمْ.

In Musnad 'Alī al-Ţabarī traced it back to Bukayr b. 'Abd Allāh b. al-Ashajj from Tahdhīb al-āthār. He asked Nāfi', 'What was Ibn 'Umar's view regarding the Ḥarūriyya?' Nāfi' replied, 'He believed that they were the worst of God's creation. They took the verses revealed about the disbelievers and applied them to the believers'.

I [al-'Asqalānī] say: This chain is rigorously authentic, and it was affirmed in the rigorously authentic traceable [marfā'] report with [Imam] Muslim from the hadith of Abū Dharr, describing the Kharijites: 'They are the worst of creation'. And there is a report from Anas traced to its ultimate source with a similar wording found in Aḥmad's collection, with a fine chain of narration.

Al-Bazzār has a report from the route of al-Sha'bī from 'A'isha & who said, 'The Messenger of God mentioned the Kharijites and said, "They are the worst of my *Umma* and shall be killed by the best of my *Umma*".' This has a fine chain.

There is a report traced to its ultimate source, similar to this, with al-Tabarānī: 'They are the worst of the creation and shall be killed by the best of creation'. And in the hadith of Abū Sa'īd [al-Khudrī] found in the collection of Aḥmad, it reads: 'They are the worst of humanity'.

In the narration of 'Ubayd Allah b. Abī Rāfi' from 'Alī, which is found in the collection of Muslim, it reads:

'They are the most despised of creation in the sight of God'. And in the hadith of al-Tabarānī from 'Abd Allāh b. Khabbab &, from his father: 'They are the worst of those slain who are shaded by the heavens and carried by the earth'. And in the hadith of Abū Umāma & there is a similar wording.

In the report of Abū Barza, traced to its ultimate source, concerning the Kharijites, which is narrated by Ahmad and Ibn Abī Shavba: 'He said thrice, "They are the worst of creation".' In a report with Ibn Abī Shayba from the route of 'Umavr b. Ishaq, from Abū Hurayra &, it reads: 'They are the most evil of creation'. The above report gives support to the view of those who held that they [the Kharintesl were disbelievers.1

Hudhayfa & reported that the Messenger of God & said, إِنَّ مَا أَتَحَوُّفُ عَلَيْكُمْ رَجُلٌ قَرَأَ الْقُرْآنَ حَتَّى إِذَا رُئِيَتْ بَهْجَتُهُ عَلَيْهِ وَكَانَ رِدْنًا لِلْإِسْلَام غَيْرَهُ إِلَى مَا شَاءَ اللَّهُ فَانْسَلَخَ مِنْهُ وَنَبَلَهُ وَزَاءَ ظَهْرِهِ وَسَعَى عَلَى جَارِهِ بالسَّيْفِ وَرَمَاهُ بالشِّرِي قَالَ: قُلْتُ: يَا نَبِيُّ اللهِ، أَيْهُمَا أَوْلَى بِالشِّرِي: الْمَرْمِيُّ أَمِ الرَّامِي؟ قَالَ: بَل الوّامِي.

'The only thing I fear for you is a man who recites the Qur'an until you see its beauty upon him, and who

¹ Narrated by al-Bukhārī in al-Şahīḥ: Kıtāb ıstıtāba al-murtaddīn wa almu'anıdın wa qıtalıhim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'On Fighting the Kharijites and the Heretics after Establishing the Evidence against Them', 6:2539; Muslim in al-Sahīh: Kitāb al-Zakāt [The Book of Zakat], chapter: 'The Khariutes Are the Most Evil of Creation', 2:750 \$1067; Abū Dāwūd in al-Sunan: Kitāb al-Sunna [The Book of the Sunna], chapter: 'On Fighting the Kharijites', 4:243 \$4765; al-Nasā'ī in al-Sunan: Kıtāb tahrīm al-dam [The Book on the Prohibition of Bloodshed], chapter: 'Regarding the One Who Unsheathes His Sword and Wields it amongst People', 7:119-120 \$4103; Ahmad b. Hanbal in al-Musnad, 3:15 \$11133; Ibn Abī Shayba in al-Muşannaf, 7:557, 559 \$37905; al-Bazzār in al-Musnad, 9:294, 305 \$3846; and al-Tabarānī in al-Mu'jam alawsat, 6:186 \6142, 7:335 \7660, and in al-Mu'jam al-saghīr, 1:42 \33.

supports Islam until God wills, until he abandons it and casts it behind his back and attacks his neighbour with a sword and accuses him of polytheism [shirk]'. Ḥudhayfa said, 'O Messenger of God! Which of the two is closer to polytheism, the accuser or the accused?' The Messenger of God responded, 'Of course, it is the accuser'.

14.10 A NOTEWORTHY POINT

Şafwān b. Muḥarraz narrated from Jundub b. 'Abd Allāh 🙈 that he passed by a group who were reciting the Qur'ān. Jundub remarked,

'Do not be deceived by them; today they are reciting the Qur'ān, but tomorrow they will be fighting [the Muslims] with their weapons'.2

Ḥarb b. Ismā'īl al-Kirmānī reported that Aḥmad b. Ḥanbal said,

'The Kharijites are an evil folk. I know of no one else on the earth more evil than them. The Prophet's hadith about them is authentic from ten different angles [chains of narration]'.3

Yūsuf b. Mūsā reported that Imam Aḥmad was asked if the Kharijites were disbelievers. He said, 'They have passed through the religion'. He was again asked, 'Are they disbelievers?' He said again, 'They have passed through the religion'.

¹ Narrated by Ibn Ḥibbān in *al-Ṣaḥīḥ*, 1:282 §81; and al-Bazzār in *al-Musnad*, 7:220 §2793.

² Narrated by al-Țabarănī in al-Mu'jam al-kabīr, 2:167 \$1685; al-Mundhirī in al-Targhīb wa al-tarhīb, 3:166 \$3513; al-Daylamī in Musnad al-firdaws, 4:134 \$6419; and al-Haythamī in Majma' al-zawā'id, 6:231.

³ Al-Khalāl, al-Sunna, p. 145 \$110.

⁴ Ibid., SIII.

CHAPTER 15

THE PROPHETIC DECREE THAT THE TURMOIL OF THE KHARIJITES MUST BE ELIMINATED



In the preceding Chapters we presented the Qur'anic verses and hadith reports that mention the beliefs, ideologies, signs and blameworthy innovations of the Kharijites. Let us now consider the Prophet's orders to eliminate them.

15.1 It is Obligatory to Eliminate the Kharijites

'Alī 🙈 reported that he heard the Messenger of God 🗥 say,

سَيَخُرُجُ قَوْمٌ فِي آخِرِ الرَّمَانِ: أَحْدَاثُ الْأَسْنَانِ سُفَهَاءُ الْأَحْلَامِ، يَقُولُونَ مِنْ خَيْرِ قَوْلِ الْبَرِيَّةِ، لَا يُجَاوِزُ إِيْمَانُهُمْ حَنَاجِرَهُمْ، يَمْرُقُونَ مِنَ اللَّيْنِ كَمَا يَمْرُقُ السَّهُمُ مِنَ الرَّمِيَّةِ، فَأَيْنَمَا لَقِيْتُمُوهُمْ فَاقْتُلُوهُمْ، فَإِنَّ فِي قَتْلِهِمْ أَجْرًا لِمَنْ فَتَلَهُمْ يُومَ الْقِيَامَةِ.

'At the end of time there shall appear a folk, young in age and foolish. They will speak the words of the best of people, but their faith will not pass their throats. They shall pass through Islam just as an arrow passes through a hunted game. Kill them wherever you find them [during war], for the one who kills them will be rewarded on the Day of Resurrection'. 1

After narrating this hadith from 'Abd Allāh b. Mas'ūd &, Imam al-Tirmidhī stated that it was narrated from 'Alī, Abū Sa'īd and Abū Dharr . And this a good hadith. Abū Sa'īd al-Khudrī & reported that the Messenger of God & said,

Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kıtāb istītāba al-murtaddīn wa al-mu'ānīdīn wa qitālihim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'On Fighting the Kharijites and the Heretics after Establishing the Evidence against Them', 6:2539 §6531; Muslim in al-Ṣaḥīḥ: Kītāb al-Zakāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:746 §1066; Ahmad b. Ḥanbal in al-Musnad, 1:81, 113, 131 §§616, 912, 1086; al-Nasā'ī in al-Sunan: Kitāb taḥrīm al-dam [The Book on the Prohibition of Bloodshed], chapter: 'Regarding the One Who Unsheathes His Sword and Wields it amongst People', 7:119 §4102; and Ibn Mājah in al-Sunan: 'Introduction', section: 'Mention of the Kharijites', 1:59 §168.

إِنَّهُ يَخْرُجُ مِنْ ضِنْضِيءِ هَذَا قَوْمٌ . . . لَئِنْ أَدْرَكْتُهُمْ لَأَقْتَانَتُهُمْ قَتْلَ ثَمُودَ.

'There shall emerge from the offspring of this man [Dhū al-Khuwayşira al-Tamīmī] a folk. . . . If I were to encounter them, I would slay them like the people of Thamūd!'

In another narration, Abū Sa'īd al-Khudrī 🟂 reported that the Messenger of God 🏔 said,

إِنَّ مِنْ صِنْفَعِيءِ هَذَا قَوْمًا يَفْرَءُونَ الْقُرْآنَ لَا يُجَاوِزُ حَنَاجِرَهُمْ، يَمْرُقُونَ مِنَ الْإِسْلَامِ مُرُوقَ السَّهُمِ مِنَ الرِّبِيَّةِ، يَقْتَلُونَ أَهْلَ الْإِسْلَامِ وَيَدَعُونَ أَهْلَ الْأَوْثَانِ، لَنِنْ أَذْرَتُحْتُهُمْ لَأَقْتَلَنَهُمْ قَتْلَ عَادٍ.

'There shall emerge from the offspring of this man [Dhū al-Khuwayṣira al-Tamīmī] a folk who will recite the Qur'ān but it will not pass their throats. They shall pass through Islam just as an arrow passes through a hunted game... They kill the Muslims but leave the disbelievers. If I were to encounter them, I would slay them like the people of 'Ād!'²

¹ Narrated by al-Bukhārī in al-Ṣahīħ: Kitāb al-maghāzī [The Book of Military Expeditions], chapter: 'The Dispatch of 'Alī b. Abī Ṭālib and Khālid b. al-Walīd to Yemen before the Farewell Pilgrimage', 4:1581 §4094; Muslim in al-Ṣahīħ: Kitāb al-Zakāt [The Book of Zakat], chapter: 'On the Kharijites and their Qualities', 2:742, 743 §1064; Aḥmad b. Hanbal in al-Musnad, 3:4 §11021; Ibn Khuzayma in al-Ṣahīħ, 4:71 §2373; Ibn Hibbān in al-Ṣahīħ, 1:205 §25; and Abū Yaʿlā in al-Musnad, 2:390 §1163.

² Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kıtāb al-tawhīd [The Book of Divine Unity], chapter: 'God's saying, "The angels and the Spirit ascend to Him" [Qur'ān 70:4], 6:2702 §6995, and in Kıtāb al-Anbiyā' [The Book of the Prophets], chapter: 'On God's Saying, "And as for 'Ād, they were destroyed by a fierce roaring unnd" [Qur'ān 69:6], 3:1219 §3166; Muslim in al-Ṣaḥīḥ: Kitāb al-Zakāt [The Book of Zakat], chapter: 'On the Kharijites and Their Traits', 2:741 §1064; Abū Dāwūd in al-Sunan: Kitāb al-Sunan [The Book of the Sunna], chapter: 'On Fighting the Kharijites', 4:243 §4764; and al-Nasā'ī in al-Sunan: Kitāb taḥrīm al-dam [The Book on the Prohibition of Bloodshed], chapter: 'Regarding the One Who Unsheathes His Sword and Wields it amongst People', 7:118 §4101, and in Kitāb al-Zakāt [The Book of Zakat], chapter: 'Those Whose Hearts are Drawn Near', 5:87 §2578.

Interpreting this hadith, Ibn Ḥajar al-'Asqalānī wrote,

'The Prophet's statement , "They will kill the people of Islam" is from the unseen matters that he informed about, and it occurred just as he said'.

Shabbīr Aḥmad 'Uthmānī said in his commentary,

'Ubayy [b. Ka'b] said, "One of the bewildering aspects of the Kharijites is that when they left Kufa and revolted against 'Alī 🎉, they encountered a Muslim and a disbeliever on the road, and killed the Muslim [but spared the disbeliever]".'2

Imam Ahmad, Abū Dāwūd and Ibn Mājah narrated from Abū Sa'īd al-Khudrī and Anas b. Mālik & that the Prophet & said,

سَيَكُونُ فِي أَمْتِي احْتِلَافٌ وَهُزْقَةٌ قَوْمٌ يُحْسِنُونَ الْقِيْلُ وَيُسِيْنُونَ الْفِعْلَ . . . هُمْ شَرُّ الْخَلْقِ وَالْخَلِيقَةِ، طُوتِي لِمَنْ قَتَلَهُمْ وَقَتْلُوهُ، يَدْعُونَ إِلَى كِتَابِ اللهِ وَلَيْسُوا فِي شَيءٍ، مَنْ قَاتِلَهُمْ كَانَ أَوْلَى بِاللهِ مِنهُمْ. قَالُوا: يَا رَسُولَ اللهِ مَا سِيْمَاهُمْ؟ قَالَ: الشَّخَلَةُنُ.

'My nation shall soon fall prey to dissention and disunity. There shall be a folk whose words are good but whose actions are bad. . . . They are the most evil of the creation. Glad tidings [of Paradise] for the one who kills them and who is killed by them. They will invite to God's Book but they have nothing to do with it. Whoever fights them will be nearer to God than they are'. The Companions

¹ Ibn Ḥajar al-ʿAsqalānī, *Fatḥ al-Bārī*, 8:69.

² Shabbīr Aḥmad 'Uthmānī, Fath al-Mulhim, 5:151.

said, 'O Messenger of God! What is their distinguishing feature?' He replied, 'Shaven heads'."

'Abū Bakr went to the Messenger of God and said, "O Messenger of God! I passed through a particular valley, and lo and behold, there was a humble-looking man of pleasant appearance offering prayers". The Prophet said, "Go to him and kill him". So Abū Bakr went back to that man, and when he saw him in that state [of humble worship], he hated to kill him, and so he went back to the Messenger of God . The Prophet then said to 'Umar a, "Go and kill him", so 'Umar went out and when he saw the man in the state in which Abū Bakr saw him, he hated to kill him, and so he went

¹ Narrated by Abū Dāwūd in al-Sunan: Kitāb al-Sunna [The Book of the Sunna], chapter: 'On Fighting the Kharijites', 4:243 \$4765; Ibn Mājah in al-Sunan: 'Introduction', section: 'Discussion of the Kharijites', 1:60 \$169; Ahmad b. Ḥanbal in al-Musnad, 3:224 \$13362; al-Ḥākim in al-Mustadrak, 2:161 \$2649; al-Bayhaqī in al-Sunan al-kubrā, 8:171; al-Maqdisī in al-Ahādīth al-mukhtāra, 7:15 \$2391-2392 (and he declared its chain of transmission sound); and Abū Ya'lā in al-Musnad, 5:426 \$3117.

back to the Messenger of God. He said, "O Messenger of God! I saw him offering prayers in a most humble manner, and so I hated to kill him". The Prophet called out, "O 'Alī! Go out and kill him!" 'Alī went out to kill him but could not find him, so he returned and said, "O Messenger of God! I did not see him". The Prophet said, "Indeed, that man and his compatriots recite the Qur'ān but it does not go past their throats. They shall pass through the religion just as an arrow passes through a hunted game, never to return until an arrow returns to its bowstring. Slay them [whenever you encounter them during war], for they are the worst of creation"."

Imam Ibn 'Abd al-Barr narrated that 'Adī b. 'Adī wrote to 'Umar b. 'Abd al-'Azīz & and complained that the Kharijites were insulting him. 'Umar replied,

إِنْ سَهُونِي فَسُبُوهُمْ أَوِ اغْفُوا عَنْهُمْ، وَإِنْ شَهَرُوا السَّلَاحَ فَاشْهَرُوا عَلَيْهِمْ، وَإِنْ ضَرَهُوا فَاصْرِبُوا.

'If they insult me then either retaliate or pardon them, and if they take up arms then take up arms against them, and if they fight then fight them back'.²

15.2 IMPORTANT COMMENTARIES FROM THE IMAMS OF HADITH

Qādī 'Iyād said in Ikmāl al-mu'lim bi fawā'ıd Muslim:

أَجْمَعَ الْفُلَمَاءُ عَلَى أَنَّ الْحَوَارِجَ وَأَشْبَاهَهُمْ مِنْ أَهْلِ الْبِدَعِ وَالْبَهْيِ مَتَى حَرَجُوا وَخَالَقُوا رَأْيَ الْجَمَاعَةِ، وَشَقُّوا حَصَا الْمُسْلِمِيْنَ، وَنَصَبُوا رَايَة الْجَلَافِ. إِنَّ قِبَالَهُمْ وَاجِبٌ بَعْدَ إِنْذَارِهِمْ وَالْإِغْذَارِ إِلَيْهِمْ. قَالَ اللهُ تَعَالَى: ﴿فَقَلِيلُوا الَّتِي تَبْعِي حَتَّىٰ تَفِيءَ إِلَىٰ أَمْرِ اللّهِ﴾. وَهَذَا إِذَا كَانَ بَهْيُهُمْ لِأَجْل بِدَعَةٍ يُكَثِّرُونَ بِهَا، وَإِنْ كَانَ بَهْيَهُمْ لِفَيْرِ ذَلِكَ

¹ Narrated by Ahmad b. Hanbal in al-Musnad, 3:15 \$11133; al-Haythamī in Majma' al-zawā'id, 6:225; and cited by al-'Asqalānī in Fath al-Bātī, 12:229.

² Ibn 'Abd al-Barr, al-Tamhīd, 23:338-339.

لِمُصَبِّدِةٍ، أَوْ طَلَبِ رِئَاسَةٍ دُونَ بِدْعَةٍ، فَلَا يُحْكُمُ فِي هَوُلَاءِ حُكُمُ الْكُفَّارِ بِوَجُهِ، وَحُكْمُهُمْ أَمُلُ الْبَغِي مُجَرِّدًا عَلَى الْقُولِ الْمُتَقَدِّع.

The scholars have unanimously agreed that when the Kharijites and their ilk from the people of blameworthy innovation and rebellion revolt against the view of the community [iama'a], split the unity of the Muslims and raise the banner of dissention, it is obligatory [for the Muslims to fight them after exhorting and warning them. God Most High says, 'Then all of you together fight the contentious party until they all submit to the command of God'. Now this is in the case where their rebellion stems from a blameworthy innovation by which they declare others to be disbelievers. If their rebellion was for some other reason that is not an innovation, such as bigoted allegiance [to a group or tribe] or pursuit of leadership, they are not given the same judgement reserved for the disbelievers in any way. According to the aforementioned view, they are given the ruling of the people of rebellion only.2

Imam al-Nawawī stated in his commentary on Şahīh Muslim:

فَوْلُهُ عَلَىٰهُ الْهَيْءُ وَهُوَ إِحْمَاعُ الْفَلْمَاءِ، قَالَ الْقَاصِينَ: أَجْمَا. هَذَا تَصْرِيْحُ بِوْجُوبِ قِتَالِ الْحَوَارِجِ وَالْبُغَاةِ وَهُوَ إِحْمَاعُ الْفُلْمَاءِ، قَالَ الْقَاصِينَ: أَجْمَعُ الْفُلْمَاءُ عَلَى أَنَّ الْجَمَاعِةِ وَأَشْبَاهُهُم مِنْ أَهْلِ الْبِدَعِ وَالْبُغْيِ مَتَى حَرَجُوا عَلَى الْإِمَامِ، وَحَالَقُوا رَأْيَ الْجَمَاعَةِ وَشُقُوا الْعَصَا، وَجَالَقُوا رَأْيَ الْجَمَاعَةِ وَشَقُوا الْعَصَا، وَجَبَ قِتَالُهُمْ بَعْدَ إِنْدَادِهِمْ وَالْإِعْتِذَادِ إِلَيْهِمْ.

وَهَذَا كُلُهُ مَا لَمْ يُكَفِّرُوا بِيِدْعَتِهِمْ، فَإِنْ كَانَتْ بِدْعَةٌ مِمًا يُكَفِّرُونَ بِهِ جَرَتْ عَلَيْهِمْ أَحْكَامُ الْمُرْتَدِيْنَ، وَأَمَّا الْبِعَاةُ الَّذِينَ لَا يُكَفِّرُونَ فَهَرِتُونَ وَيُورُونَ وَدَمُهُمْ فِي حَالِ الْقِتَالِ هَذْرْ، وَكَذَا أَمْوَالُهُمُ الَّتِي تُعْلَفُ فِي الْقِتَالِ، وَالْأَصَحُ أَلَهُمْ لَا يَعْمَمُنُونَ أَيْطًا مَا أَتَلَقُوهُ عَلَى أَمْلِ الْمَدْلِ فِي حَالِ الْقِتَالِ مِنْ نَفْسٍ وَمَالٍ.

¹ Qur'an 49:9.

² Qādī 'Iyād, Ikmāl al-mu'lim bi fawā'id Muslim, 3:613-614.

The Prophet's statement . 'Kill them wherever you find them Iduring warl, for the one who kills them will be rewarded on the Day of Resurrection', is an explicit declaration of the obligation to fight the Kharijites and rebels, and this is the consensus of the scholars. Qādī l'Ivadl said. 'The scholars have unanimously agreed that when the Kharijites and their ilk from the people of blameworthy innovation and rebellion revolt against the view of the community [jama'a], split the unity [of the Muslims] and raise the banner of dissention, it is obligatory [for the Muslim state] to fight them after exhorting them and warning them'.

Now that applies so long as their innovation is not one that entails disbelief. If their innovation is one that makes them disbelievers, then the rules that pertain to apostates are applied to them. As for the rebels who do not disbelieve, they may inherit and others may inherit from them, although during times of fighting their blood is lawful, as is their wealth that is destroyed (at the hands of the Muslim government] during the fighting. The most correct view is that they are not liable to receive compensation from the people of justice for the lives and wealth that were destroyed during the time of fighting.

Shabbīr Ahmad 'Uthmānī wrote in Fath al-Mulhim:

قَوْلُهُ ﷺ: فَإِنَّ فِي قَتْلِهِمْ أَجْرًا إِلَحْ: أَيْ أَجْرًا عَظِيْمًا. قَالَ النَّوَوِيُّ: هَذَا تَصْرِيْحٌ بِوْجُوبِ فِتَالِ الْحَوَارِجِ وَالْبُغَاقِ، وَهُوَ إِجْمَاعُ الْعُلَمَاءِ. قَالَ الْقَاضِي: أَجْمَعَ الْعُلَمَاءُ عَلَى أَنَّ الْخَوَارِجَ وَأَشْبَاهَهُمْ مِنْ أَهْلِ الْبِدَعِ وَالْبَغْيِ مَتَى خَرَجُوا عَلَى الْإِمَام، وَخَالَقُوا رَأْيَ الْجَمَاعَةِ، وَشَقُوا الْعَصَا: وَجَبَ قِتَالُهُمْ بَعْدَ إِنْدَارِهِمْ وَالْإِغْتِدَارِ إِلَيْهِمْ.

The Prophet's statement . 'for the one who kills them will be rewarded on the Day of Resurrection', means that this person will receive a tremendous reward. Al-Nawawī stated that this 'is an explicit declaration of

Yahyā al-Nawawī, Sharh Sahīh Muslim, 7:170.

the obligation to fight the Kharijites and rebels, and this is the consensus of the scholars'. Qādī ['Iyād] said, 'The scholars have unanimously agreed that when the Kharijites and their ilk from the people of blameworthy innovation and rebellion revolt against the view of the community [jamā'a], split the unity [of the Muslims] and raise the banner of dissention, it is obligatory to fight them after exhorting them and warning them'."

These commentaries further prove that this is obligatory to take action against the Kharijites and terrorists at the state level and eliminate them completely. Whenever the Kharijites and their ilk appear, the only guarantee of peace and security is their total annihilation. The history of Muslim *Umma* bears witness that whenever these elements raised their heads they were eliminated.

15.3 THE SIGNIFICANCE OF COMPARING THE KHARIJITES TO THE PEOPLE OF 'AD AND THAMŪD

Some of the prophetic traditions about the Kharijites mention the people of 'Ād and Thamūd. The import of these traditions is that the Kharijites should be uprooted and wiped out just as the people of 'Ād and Thamūd were destroyed. Before that, however, it is our duty to teach them the truth and provide them the opportunity to take the right path, turn to God and abandon their evil designs. Concerning the people of 'Ād and their destruction, God revealed,

'And as for the people of 'Ad, they were destroyed by a violently cold and roaring wind. God imposed it upon them for seven nights and eight days in succession, so you would see people felled therein as if they were hollow trunks of palm trees. Then do you see of them any remains?' 2

¹ Shabbīr Aḥmad 'Uthmānī, Fath al-Mulhim, 5:166-167.

² Qur'ān 69:6-8.

In another verse, God revealed,

﴿ فَلَمَّا رَأَوْهُ عَارِضًا مُسْتَقْبِلَ أَوْدِيَتِهِمْ قَالُواْ هَلَذَا عَارِضٌ مُمْطِرُنَا بَلْ هُوَ مَا اسْتَعْجَلُتُمْ

هِ رِيحٌ فِيهَا عَذَابٌ أَلِيمٌ. تُدَمَّرُ كُلُّ شَيْءٍ بِأَمْرِ رَبُهَا فَأَصْبَحُواْ لَا يُرَىٰ إِلَّا مَسَاكِتُهُمْ

كَذَالِكَ نَجْزِى الْقَوْمَ الْمُجْرِمِينَ﴾

كذالِك نَجْزِى الْقَوْمَ الْمُجْرِمِينَ﴾

'So when they saw it as a cloud approaching their valleys, they said, "This a cloud bringing us rain!" Rather, it is that for which you were impatient: a wind containing a grievous punishment. It will destroy everything by the command of its Lord. And they became so that nothing was seen of them, save their dwellings. Thus do We recompense the criminals'.

Ibn Ḥajar al-'Asqalānī wrote in his commentary on the Prophet's statement that he would kill the Kharijites like the people of 'Ād and Thamūd: 'The Prophet's statement, "If I were to encounter them I would slay them like the people of 'Ād", means a general killing and elimination [during war], as God Most High said, "Then do you see of them any remains?" '2

Imam Abū al-'Abbās al-Qurţubī, who preceded al-'Asqalānī, commented.

قَوْلُهُ فِيْهِ: لَنِنَ أَذْرَكْتُهُمْ لَأَقْتَلَنَهُمْ قَتَلَ عَادٍ، وَفِي الْأَغْرَى: قَتْلَ لَمُودَ، وَمَعْنَى هَذَا: لَيَنْ أَذْرَكُهُمْ لَيَقْتَلَنَهُمْ قَتَلًا عَامًا، بِحَيْثُ لَا يُبْقِي مِنْهُمْ أَحَدًا فِي وَقْتِ وَاحِدٍ، لَا يُؤَخِّرُ فَتْلَ بَعْدِهِمْ عَنْ بَعْضٍ، وَلَا يُقِيْلُ أَحَدًا مِنْهُمْ، كَمَا فَعَلَ اللهُ بِعَادٍ، حَيْثُ أَعْلَكُهُمْ بِالصَّيْحَةِ. أَعْلَكُهُمْ بِالصَّيْحَةِ.

The Prophet's statement in 'If I were to encounter them I would slay them like the people of 'Ad', and in another wording, 'like the people of Thamūd'. This means that if he were to encounter them, he would kill them all, in the sense that not a single one of them would remain at one given time, and none of them would be left for another

¹ Ibid., 46:24-25.

² Ibn Ḥajar al-'Asqalānī, Fath al-Bārī, 2:377.

day—just as God dealt with 'Ad, destroying them with a grievous wind, and destroying Thamūd with the dreadful shriek."

Imam al-Nawawī said,

قَوْلُهُ هُؤَا: لَئِنْ أَذْرَكْتُهُمْ لَأَقْتَلْتُهُمْ قَنْلَ عَادٍ. أَيْ قَنْلًا عَامًّا مُسْتَأْصِلًا كَمَا قَالَ تَعَالَى: ﴿ فَهَلْ نَزَىٰ لَهُم مِنْ بَالِيَةٍ ﴾.

'His statement , "If I were to encounter them I would slay them like the people of 'Ad", means he would have killed them all, just as God says, "Then do you see of them any remains?" "2

Imam al-Qasțalānī writes ın Irshād al-sārī,

لَيِنْ أَذَرَّتُتُهُمْ لَأَقَتُنْتُهُمْ قَتْلَ عَادٍ لَأَسْتَأْصِلَتُهُمْ بِحَيْثُ لَا أَبْقِي مِنهُمْ أَحَدًا كَاسْتِنْعَالِ عَادٍ، وَالْمُرَادُ لَازَمُهُ وَهُوَ الْهَلَاكُ.

The phrase, 'If I were to encounter them I would slay them like the people of 'Ād', means 'I would most certainly annihilate them so that none of them remain, just as 'Ād were annihilated'. What is meant is the implication of that, which is their total destruction.³

Shabbīr Aḥmad 'Uthmānī agreed with this explanation in Fath al-Mulhim and stated,

'In other words, it means a general killing and annihilation, in the sense that none of them remains, as God Most High said, "Then do you see of them any remains?" '4

¹ Muhammad al-Qurtubī, al-Mufhim, 3:110.

² Yaḥyā al-Nawawī, Sharh Şaḥīh Muslim, 7:162.

³ Ahmad al-Qasțalānī, Irshād al-sārī, 10:398.

⁴ Shabbīr Ahmad 'Uthmānī, Fath al-Mulhim, 5:151.

Imam Badr al-Dīn al-'Aynī has also written similar interpretation in 'Umdat al-qārī:

'The Prophet's statements , "like the people of 'Ad" and "like the people of Thamūd" are not mutually contradictory, because his intent was that they should be completely annihilated, and 'Ad and Thamūd are the same in that regard'.

Speaking of Thamud, God revealed,

'And the dreadful shriek seized those who had wronged, and so when morning came they were [dead] lying prone in their homes as if they had never prospered therein. Beware, Thamūd disbelieved in their Lord—so away with Thamūd'.²

The Prophet has commanded the Muslim state to kill the Kharijites like the killing of 'Ad and Thamūd, because they too have transgressed like the perished nations of old. Another reason is that if some terrorists are killed and others are left alive or left to engage in negotiations, their leaders will take that time to regroup and prepare for more turmoil. Imam Ahmad, al-Nasā'ī, al-Ḥākim and others narrated that the Prophet has said,

'They shall continue to appear until the last of them appears with the Anti-Christ [al-Dajjāl]'.3

¹ Badr al-Dīn al-'Aynī, 'Umdat al-qārī, 25:122.

² Qur'ān 11:67-68.

³ Narrated by Ahmad b. Hanbal in al-Musnad, 4:421 \$19798; al-Nasa'l in

Aware of the peculiar mentality and strategy of the Kharijites, the Prophet taught us how to deal with them. When an operation is launched against them, it must continue unabated until they are decimated. Otherwise, if they are given reprieve or granted the opportunity to regroup, they will launch fresh attacks with renewed vigour and inflict losses on the Muslim state and its citizenry. This is why the Prophet ordained the elimination of evil elements from society once and for all, as was done in the case of 'Ad and Thamūd. This prophetic war strategy is designed to eliminate turmoil and danger in one fell swoop. Comparatively, the Prophet Noah supplicated to God, asking for the wholesale destruction of his rebellious people. God says, quoting Prophet Noah sa.

'Surely, if You leave them they will continue leading Your servants astray and will give birth to none but disbelieving criminals'.'

The complete annihilation of evil forces is a Divine strategy and the Kharijites must suffer it in order to remove their danger. In the Qur'an God mentions that the people of Thamud were seized with a torment unexpectedly and ruined completely:

'Indeed, We sent upon them one shriek and they became like the dry twig fragments of an animal pen'.2

These Qur'anic verses and prophetic traditions make it amply clear that negotiations with militant terrorist groups give them time to reorganize for renewed terrorist activities. Taking such a detrimental step amounts to disobedience of the Messenger of

al-Sunan: Kıtāb taḥrīm al-dam [The Book on the Prohibition of Bloodshed], chapter: 'Regarding the One Who Unsheathes His Sword and Wields it amongst People', 7:119 \$4103; and al-Ḥākim in al-Mustadrak, 2:160 \$2647.

¹ Qur'an 71:27.

² Ibid., 54:31.

God , which ruins one not only in this life but in the Hereafter as well.

15.4 THE GREAT REWARD FOR FIGHTING THE KHARIJITES

The great reward promised for those who kill the Kharijites has been repeatedly mentioned in the sound prophetic traditions. Imam Aḥmad b. Ḥanbal narrated that Abū Bakra & reported that the Messenger of God said,

سَيَخُرُخ قَوْمٌ أَحْدَاتُ أَحِدًاءُ أَشِدًاءُ، ذَلِقَةٌ أَلْسِنَتُهُمْ بِالْقُرْآنِ، يَفْرَءُونَهُ لا يُجاوِزُ تَرَافِيهُمْ. فَإِذَا لَقِيْنُمُوهُمْ فَأَيْنُمُوهُمْ، ثُمُّ إِذَا لَقِيْنُمُوهُمْ فَاقْتُلُوهُمْ، فَإِنَّهُ يُؤْجِرُ قَاتِلُهُمْ.

'There shall soon appear a folk who are young in age, sharp-witted and severe. They will recite the Qur'ān distinctly and clearly but it will not pass their throats. So extinguish [their turmoil] if you encounter them, and if you encounter them [again] slay them, for the one who slays them will be rewarded'.

'Abd Allāh b. Rabāḥ al-Anṣārī 🌋 reported that he heard Ka'b [b. Mālik] 🟂 say,

'The martyr has a light, and the one who fights against the Ḥarūriyya [i.e., Kharijites] shall have ten lights [and in another narration in Ibn Abī Shayba's Muşannaf, "eight lights in addition to the light of the martyr"].' 'Abd Allāh said, 'He [Ka'b] used to say that the Hellfire has seven gates, three of which are reserved for the Ḥarūriyya [i.e., Kharijites]'.²

I Narrated by Ahmad b. Hanbal in al-Musnad, 5:36 \$44; al-Hākim in al-Mustadrak, 2:159 \$2645; Ibn Abī 'Āṣim in al-Sunna, 2:456 \$937; and 'Abd Allāh b. Aḥmad in al-Sunna, 2:637 \$1519. The transmitters in Aḥmad's tradition are sound. Ibn Abī 'Āṣim and al-Ḥākim also declared it a sound tradition.

² Narrated by 'Abd al-Razzāq in *al-Muşannaf*, 10:155; and Ibn Abī Shayba in *al-Muşannaf*, 7:557 **\$**37911.

15.5 A COMPREHENSIVE DESCRIPTION OF THE KHARIJITES AND THEIR SIGNS

If we gather all of hadith reports and statements of the Companions and scholars concerning the Kharijites, we can develop a composite image and comprehensive description of them.

r. أَحْدَاثُ الْأَسْنَانِ.

They will be young in age.1

2. سُفَهَاءُ الْأَخْلَامِ.

They will be brainwashed.2

3. كُتُّ اللَّحْيَة.

They will have thick, unkempt beards.3

4. مُشَمَّرُ الْإِزَادِ.

They will wear their lower garments high upon their legs.4

5. يَخْرُجُ نَاسٌ مِنْ قِبَلِ الْمَشْرِقِ.

They will emerge from the east [of sanctuaries].5

Narrated by al-Bukhārī in al-Ṣaḥīh: Kitāb istitāba al-murtaddīn wa al-murʿānidīn wa qitālihim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'On Fighting the Kharijites and the Heretics after Establishing the Evidence against Them', 6:2539 \$6531; and Muslim in al-Ṣaḥīh: Kitāb al-Zakāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:746 \$1066.

² Ibid.

³ Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kitāb al-maghāzī [The Book of Military Expeditions], chapter: 'The Dispatch of 'Alī b. Abī Ṭālib and Khālid b. al-Walīd to Yemen before the Farewell Pilgrimage', 4:1581 \$4094; and Muslim in al-Ṣaḥīḥ: Kitāb al-Zakāt [The Book of Zakat], Chapter: 'On the Kharijites and their Qualities', 2:742 \$1064.

⁴ Ibid.

⁵ Narrated by al-Bukhārī in al-Şahīh: Kitāb al-tawhīd [The Book of Divine

They will continue to appear until the last of them appears with the Anti-Christ [which implies that they will continue to emerge in every generation].¹

Their faith will not pass their throats [which implies that their faith is shallow and skin-deep, and that the qualities of true faith will not be visible from their conduct].²

They will be extremists in religious matters.3

The believer will consider his own prayers and fasting insignificant in comparison to theirs [i.e., Kharijites].⁴

Unity], chapter: 'The Recitation, Articulation and Reading of the Reprobate and Hypocrite [Reading the Qur'an] Does Not Pass Beyond Their Throats', 6:2748 §7123.

¹ Narrated by al-Nasā'ī in al-Sunan: Kıtāb taḥrīm al-dam [The Book on the Prohibition of Bloodshed], chapter: 'Regarding the One Who Unsheathes His Sword and Wields it amongst People', 7:119 \$4103.

² Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kitāb istitāba al-murtaddīn wa al-mu'ānidīn wa qitālihim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'On Killing the Kharijites and the Heretics after Establishing the Evidence against Them', 6:2539 §6531; Muslim in al-Ṣaḥīḥ: Kitāb al-Zakāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:746 §1066.

³ Narrated by Abū Ya'lā in *al-Musnad*, 1:90 \$90; and 'Abd al-Razzāq in *al-Muṣannaf*, 10:155 \$18673.

⁴ Narrated by al-Bukhārī in al-Saḥīh: Kitāb al-adab [The Book of Good Manners], chapter: 'What Has Come to Us About Someone Saying, "Woe to you!", 5:2281 \$5811, and Kitāb istitāba al-murtaddīn wa al-mu'ānidīn wa qitālihim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'On the One Who Refrains from Fighting the Kharijites for the Sake of Drawing Hearts Near and so People Will

Their prayers will not pass their throats [which implies that their prayers will not leave any effect upon their character or conduct].²

They will recite the Qur'an but the believers' recitation will not resemble theirs.

They shall recite the Qur'ān but it will not pass their throats [which implies that it will have no effect upon their hearts].³

They shall quote the Qur'an believing that it is for them although in reality it is against them.4

They will apparently invite the people to God's Book

Not Flee', 6:2540 \$6534; and Muslim in al-Ṣahīh: Kttāb al-Zakāt [The Book of Zakat], chapter: 'On the Kharijites and Their Qualities', 2:744 \$1064.

¹ Narrated by Muslim in *al-Şaḥīḥ*: *Kıtāb al-Zakāt* [The Book of Zakat], chapter: 'The Encouragement to Kıll the Kharıjites', 2:748 §1066.

² Thid

³ Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kitāb istitāba al-murtaddīn wa al-mur'ānidīn wa qitāliĥim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'On Killing the Kharijites and Heretics after Establishing the Evidence against Them', 6:2540 §6532; and Muslim in al-Ṣaḥīḥ: Kitāb al-Zakāt [The Book of Zakat], chapter: 'On the Kharijites and Their Qualities', 2:743 §1064.

⁴ Narrated by Muslim in at Sahīh: Kitāb al-Zakāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:748 \$1066.

although they have nothing to do with it.1

They will speak the words of the best of people [which implies that they will raise religious slogans and make Islamic demands].²

Their slogans and pretentious talks will be better than others' and moving.³

They will be extremely oppressive, blood-thirsty and violent.⁴

They will be the most evil of the creation.5

They will defame their rulers and charge them with misguidance.⁶

¹ Narrated by Abū Dāwūd in al-Sunan: Kitāb al-Sunna [The Book of the Sunna], chapter: 'On Fighting the Kharijites', 4:243 \$4765.

² Narrated by al-Bukhārī in al-Ṣahīh: Kitāb istitāba al-murtaddīn wa al-mu'ānidīn wa qitālihim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'On Fighting the Kharijites and the Heretics after Establishing the Evidence against Them', 6:2539 \$6531; and Muslim in al-Ṣahīh: Kitāb al-Zakāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:746 \$1066.

³ Narrated by al-Tabarānī in al-Mu'jam al-awsat, 6:186 §6142.

⁴ Narrated by Abū Dāwūd in *al-Sunan*: *Kitāb al-Sunna* [The Book of the Sunna], chapter: 'On Killing the Kharijites', 4:243 \$4765.

⁵ Narrated by Muslim in al-Şahīh: Kitāb al-Zahāt [The Book of Zakat], chapter: 'The Kharijites Are the Most Evil of Creation', 2:750 \$1067.

⁶ Narrated by Ibn Abū 'Āsim in al-Sunna, 2:455 \$934; and al-Haythamī in

20. يَخْرُجُونَ عَلَى حِيْنِ فَرُقَةٍ مِّنَ النَّاسِ.

They will appear during a time in which there is disunity.

21. يَسْفِكُونَ الدَّمَ الْحَرَامَ.

They will shed blood that is inviolable [which implies that they will believe it is permissible to kill Muslims and non-Muslims].²

22. يَقْطَعُونَ السَّبِيْلُ وَيَسْفِكُونَ الدِّمَاءَ بِغَيْرِ حَقَّ مِّنَ اللهِ وَيَسْتَجِلُونَ أَلهَلَ الذَّمَةِ (من
 كلام عائشة ١٤٠٠.

They will block the roads, shed blood without any authorization from God, and they will declare lawful the blood of the non-Muslim citizens [taken from the words of 'A'isha \$].3

They will believe in the clear-cut verses of the Qur'an but fall into destruction when it comes to their interpretation of the ambiguous verses [taken from the words of Ibn 'Abbās &1.4'

They will make truthful demands with their tongues but

Majma' al-Zawā'id, 6:228. And he said that its transmitters are those of a sound tradition.

I Narrated by al-Bukhārī in al-Ṣahīḥ: Kitāb al-Manāqib [The Book of Virtues], chapter: 'The Signs of Prophethood in Islam', 3:1321 §3414; and Muslim in al-Ṣahīḥ: al-Zakāt [The Alms-due], chapter: Discussion of the Kharijites and their Qualities, 2:744 §1064.

² Narrated by Muslim in al-Ṣaḥīḥ: Kitāb al-Zakāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:748 \$1066.

³ Narrated by al-Hākim in al-Mustadrak, 2:166 §2657.

⁴ Narrated by al-Tabartin Jāmi^c al-Bayān fī Tafsīr al-Qur'ān, 3:181; and al-'Asqalānī, Fath al-Bārī, 12:300.

they will not pass beyond their throats [taken from the words of 'Alī &]."

They will take the verses revealed about the disbelievers and apply them to the believers [taken from the words of Ibn 'Umar &].²

They shall pass through the religion just as an arrow passes through a hunted game.³

Those who fight against them will earn a great reward.4

The one who is killed by them is the best person killed.5

¹ Narrated by Muslim in al-Şahīb: Kitāb al-Zakāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:749 \$1066.

² Narrated by al-Bukhārī in al-Şahīb: Kitāb istitāba al-murtaddīn wa al-mu'ānidīn wa qitālihim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'On Killing the Kharijites and the Heretics after Establishing the Evidence against Them', 6:2539.

³ Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kitāb istitāba al-murtaddīn wa al-mu'ānidīn wa qitālihim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'On Fighting the Kharijites and the Heretics after Establishing the Evidence against Them', 6:2539 §6531; and Muslim in al-Ṣahīḥ: Kitāb al-Zakāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:746 §1066.

⁴ Narrated by Muslim in *al-Şahīḥ*: Kitāb al-Zakāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:748 \$1066.

⁵ Narrated by al-Tirmidhī in al-Sunan: Kıtāb tafsīr al-Qur'ān [The Book of Qur'ānic Exegesis], chapter: 'From Sūra Āl 'Imrān', 5:226 §3000.

29. شَرُّ قَعْلَى تَحْتَ أَدِيْمِ السَّمَاءِ.

They are the worst of those slain under the heavens. 1

30. إِنَّهُمْ كِلاَبُ النَّارِ.

They would be made the dogs of Hell [in the Hereafter].2

- 31. They will declare it obligatory to wage armed rebellion against an oppressive and corrupt government.³
- 32. They will declare that the one who commits a major sin is a disbeliever.
- 33. They will declare lawful the blood and wealth of someone who commits a major sin.
- 34. They will seize a particular area and make it a centre of terrorist activity—as they did when they took Ḥarūrā as their base.
- 35. They will reject negotiations with the people [their opponents].

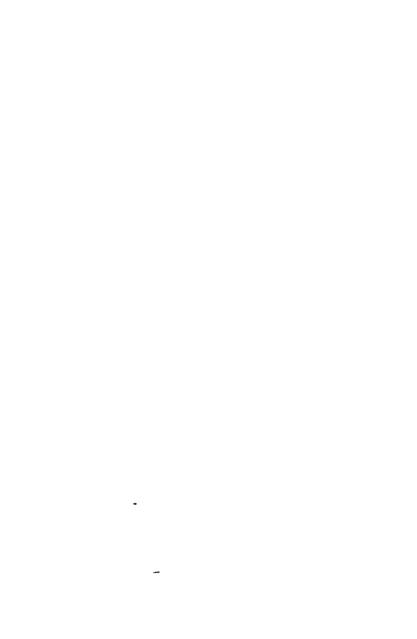
I Ibid.

² Ibid.

³ Narrated by 'Abd al-Qāhir al-Baghdādī, al-Farq bayn al-firaq, p. 73; and Ibn Taymiyya, Majmū'a al-fatāwā, 13:31.

CHAPTER 16

Mention of the Imams Who Charged the Kharijites with Disbelief and Ordered Their Elimination



The scholars have two different opinions about charging the Kharijites with disbelief, but there is no difference of opinion about fighting them, for the Prophet has given clear instructions in this regard that no Muslim can oppose. The authority to eliminate the Kharijites is taken from his many statements, such as: 'If I were to encounter them, I would slay them like the people of Thamūd', and 'Kill them wherever you find them', and so on. This was understood by the hadith scholars who worded their chapter headings accordingly. Imam al-Bukhārī penned one chapter of his collection, 'On Fighting the Kharijites and the Heretics after Establishing the Evidence against Them'. In his al-Ṣaḥīḥ, Imam Muslim penned one chapter named, 'The Encouragement to Kill the Kharijites'. In his commentary, al-Nawawī stated:

قَوْلُهُ عَلَيْنَ فَإِذَا تَقِيْتُمُوهُمْ فَاقْتُلُوهُمْ، فَإِنَّ فِي قَنْلِهِمْ أَجْرًا. هَذَا تَصْرِيْحٌ بِوُجُوبِ قِتَالِ الْمُحَارِجِ وَالْبُكَافِ، وَهُوَ إِجْمَاعُ الْفُلَمَاءِ. قَالَ الْقَاصِي: أَجْمَتَعَ الْفُلَمَاءُ عَلَى أَنْ الْجَمَاعَةِ، وَأَشْبَاهُمْ مِنْ أَهْلِ الْبِيَّعِ وَالْبَغْيِ مَنَى خَرَجُوا عَلَى الْإِمَامِ، وَخَالَفُوا رَأْيَ الْجَمَاعَةِ، وَشَقُوا الْعَصَا، وَجَبَ قِتَالُهُمْ بَعْدَ إِنْدَارِهِمْ وَالْإِعْتَذَارِ إِلَيْهِمْ. وَهَذَا كُلُهُ مَا لَمْ يُكَفَّرُوا وَشَقُوا الْعَصَا، وَجَبَ قِتَالُهُمْ بَعْدَ إِنْدَارِهِمْ وَالْإِعْتَذَارِ إِلَيْهِمْ. وَهَذَا كُلُهُ مَا لَمْ يُكَفَّرُوا بِي جَرَتُ عَلَيْهِمْ أَحْكَامُ الْمُرْتَدُيْنَ، وَأَمَّا الْمُعَالَى هَدْرٌ، وَكَذَا أَمْوَالُهُمْ الْمُرْتَدِيْنَ وَيُورُلُونَ وَيُورُلُونَ وَدُمُهُمْ فِي حَالِ الْقِتَالِ هَدْرٌ، وَكَذَا أَمْوَالُهُمْ الْمُرْتَلِقُونَ وَيُورُلُونَ وَدُمُهُمْ فِي حَالِ الْقِتَالِ هَدْرٌ، وَكَذَا أَمْوَالُهُمْ الْمُرْتَدُيْنَ لِلْ يُتَعْلَمُ فِي الْقِتَالِ هَذَهُ فِي الْقِتَالِ هَذَهُمْ فِي حَالِ الْقِتَالِ هَذَهُمْ فِي الْقَتَالِ هَذَهُ الْمُعَلِيْقُولُ لَهُمْ فِي خَالِ الْقِتَالِ هَذَهُ إِلَيْنَالِ لَهُ الْمُعَلِقُولُ الْمُعَلِيْقِ لَهُمْ فِي عَلَى الْمُعَلِقِ الْقَالِ هَا لَهُمُ الْمُعَلِقِيلُهُمْ لِي الْعَلَالِ مَالِهُمْ لَهُمْ فِي حَالِ الْهُمَالِ فَي الْعَلَالِ هَالَهُمْ لَهُمْ الْمُعَلِّلُولُهُمْ فَي الْقِيلُولُ مَا لَهُمَا لَهُمُ فَي الْعَلَالُ مَالِمُونَ لَا لِهُمْ لَهُمْ فِي عَالِى الْمُلِعَمْ لِي الْعَلَالِ مَا لَهُمَا لَهُمُ الْمُنْهُمُ فِي عَالِى الْعَلَالُ عَلَالِهُمْ لِلْمُؤْلِقَالِهُمْ لِلْهُمْ لِي الْعَلَالِهُمْ لِيَعْلِهُمْ فَيْعِلِمُ لَهُمْ لِي الْمُعْلِقِيلُولُونُ الْمُعْلِيقِيلُ مِنْ الْمُعْلِقِيلُولُ مِنْ الْمُعْلِيلُهُمْ لِي الْمُعْلِقُولُ الْمُؤْلِقُهُمْ الْمُؤْلِقُولُ الْمُؤْلِقَالُ وَلَهُمْ فِي عَلْمُ لِهُمْ لِي الْمُعْلِلُ الْمُؤْلِقُولُولُ الْمُؤْلِقُولُ الْمُؤْلِقِيلُ الْمُؤْلِقُولُ وَلُهُمْ فِي عَلْمُ الْمُولِيلُولُولُولُولُ وَلَهُ الْمُؤْلِقُولُ الْمُؤْلِقُولُ الْمُؤْلِقُولُ الْمُؤْلِقُولُولُولُولِهُمْ وَالْمُؤْلِقُولُ مِنْ الْمُعْلِيْلُولُولُولُولُولُولُولُولُولُولُولُ الْمُعْلِقُولُولُولُولُول

The Prophet's statement , 'Kıll them wherever you find them, for the one who kills them will be rewarded [on the Day of Resurrection]', is an explicit declaration of the obligation to fight the Kharijites and rebels, and this is the consensus of the scholars. Qādī [Abū Bakr b. al-'Arabī] said, 'The scholars have unanimously agreed that when the Kharijites and their ilk from the people of blameworthy innovation and rebellion revolt against the view of the community [jamā'a], split the unity [of

the Muslims] and take up arms, it is obligatory to fight them after exhorting them and warning them'. Now, that applies so long as their innovation does not entail disbelief. If their innovation is one that makes them disbelievers, then the rules that pertain to apostates are applied to them. As for the rebels who do not disbelieve, they may inherit and others may inherit from them, although during times of fighting their blood is lawful, as is their wealth that is destroyed during the fighting.

Qādī 'Iyād said in al-Shifā:

وَاحْتَلَفَ قَوْلُ مَالِكِ وَأَصْحَابِهِ فِي ذَلِكَ، وَلَمْ يَحْتَلِقُوا فِي قِتَالِهِمْ إِذَا تَحَيِّرُوا فِتَهُ، وَأَنْهُمْ يُسْتَنَابُونَ، فَإِنْ تَابُوا وَإِلَّا قُتِلُوا، وَإِنْمَا احْتَلَقُوا فِي الْمُنْقُرِدِ مِنْهُمْ. وَهَذَا قَوْلُ مُحَمَّدِ بْنِ الْمَوَّازِ فِي الْمَوَّارِجِ، وَعَبْدِ الْمَلِكِ بْنِ الْمَاجِشُونِ، وَقَوْلُ شَحْنُونِ، وَبِه فُسِّرَ قَوْلُ مَالِكِ فِي الْمُوَطَّ، وَمَا رَوَاهُ عَنْ عُمَرَ بْنِ عَبْدِ الْعَزِيزِ: يُسْتَتَابُونَ، فَإِن تَابُوا وَإِلَّا قَبِلُوا. وَقَالَ عِنْسَى، عَنِ ابْنِ الْقَاسِمِ: فَإِنَّ تَابُوا وَإِلَّا قَبِلُوا، وَمِثْلُهُ لَهُ فِي الْمَنْهُ وَلِي قَبْلُوا. وَقَالَ عِنْسَى، عَنِ ابْنِ الْقَاسِمِ: فَإِنَّ تَابُوا وَإِلَّا قَبِلُوا عَمْلُ بَنْ عَبْدِ الْمَنْهُ وَلِي اللّهِ عَلَى عَمْرُ بْنُ عَنْدِي الْمُعَلِّي الْمَوْمِ، وَبِهَذَا عَمِلَ عُمْرُ بْنُ عَبْدِ

وَقَوْلُهُ هُلِي فِي الْحَوَارِجِ: هُمْ مِنْ شَرِّ الْبَرِيَّةِ، وَهَذِهِ صِفَةُ الْكُفَّارِ. وَقَالَ هُلِيْ: شَرُّ وَيَبْلِ تَحْتَ أَدِيْمِ السَّمَاءِ، طُوبَى لِمَنْ قَتَلُهُمْ أَوْ فَتَلُوهُ، وَقَالَ: فَإِذَا وَجَدْتُمُوهُمْ فَاللَّهُمْ قَتْلُ عَادٍ. وَطَاهِرُ هَذَا الْكُفُرُ لَاسِيَّمَا مَعَ تَشْبِيْهِهِمْ بِعَادٍ، فَيَحْتَجُ بِهِ مَنْ يَرَى تَكْفِيرُهُمْ، فَيَقُولُ لَهُ الْآخَرُ: إِنَّمَا ذَلِكَ مِنْ فَتَلِهِمْ لِحُرُوجِهِمْ عَلَى الْمُسْلِمِينَ، وَمَعْفِهِمْ عَلَى الْمُسْلِمِينَ، وَمَعْفِهِمْ عَلَى الْمُسْلِمِينَ، وَمَعْفِهِمْ عَلَىهِمْ بِدَلِيلِهِ مِنَ الْمُحْدِيثِ نَفْسِدِ: يَقْتَلُونَ أَهُلَ الْإِسْلَامِ، فَقَتْلُهُمْ هَاهُمَا حَلَّ لا كُفْرُ. وَذِكْرُ عَادٍ تَشْبِيةٌ لِلْقَتْلِ وَحِلَّهِ، لَا لِلْمَقْتُولِ، وَلَيْسَ كُلُّ مَنْ حُكِمَ بِقَتْلِم يُحْكُمُ لا حُلْقَ وَكُونُ عَادٍ تَشْبِيةٌ لِلْقَتْلِ وَحِلِّهِ، لَا لِلْمَقْتُولِ، وَلَيْسَ كُلُّ مَنْ حُكِمَ بِقَتْلِهِ يَحْكُمُ لِحُدْرِهِ وَكَذَلِكَ قَوْلُهُ هُولِهِ. وَبِقَوْلِهِ: سَبَقَ الشَهْمِ مِنَ الرَّمِيَّةِ، ثُمَّ لَا يَعُودُونَ مِنْ اللَّمُ مِنْ مَنْ اللَّهُمْ عَلَى أَلَهُ لَمْ يَعَمَلُقُ وَاللَّهُمْ عَلَى أَلَهُ لَمْ يَعَمَلُقُ وَاللَّمْ مِنَ اللَّهُمْ عَلَى أَلَهُ لَمْ يَعَمَلُقُ وَاللَّهُمْ عَلَى أَلُهُ لَمْ يَعَمَلُقُ وَاللَّهُمْ عَلَى أَلُهُ لَمْ يَعْمَلُقُ وَاللَّهُمْ عَلَى أَلَهُ لَمْ يَعْمَلُقُ وَاللَّهُمْ عَلَى أَلَهُ لَمْ يَعْمَلُقُ وَلَا لِللْمُ وَلَهُ وَلَا لَاللَّهُمْ عِلْمَا لَاللَّهُمْ عَلَى أَلَهُ لَمْ يَعْمَلُقُ فَى إِلَهُ لَمْ يَعْمَلُقُ وَلَا اللَّهُمْ عِنْ الْمُشْرِمُ بِشَيْءٍ.

¹ Al-Nawawī, Sharḥ Şahīh Muslım, 7:169–170.

The view of Malik and his companions regarding the Kharijites varies concerning this, but they did not disagree about killing those who do this if they form a separate group. Repentance should be sought from them, and if they repent [well and good], otherwise they are to be killed. They only disagreed about an isolated individual who does this.... This is what Muhammad b. al-Mawwäz, 'Abd al-Mālik b. Mājishūn and Imam Sahnūn said concerning the Kharijites. The statement of Mālik in his al-Muwatta and the report narrated from 'Umar b. 'Abd al-'Azīz explains," 'Repentance is to be sought from them. If they repent [well and good], otherwise they are to be killed'. Imam 'Isā narrates from Imam Ibn al-Oasim, 'If they repent [well and good], otherwise they should be killed'. Something similar was mentioned in al-Mabsūt. He said, 'They are Muslims, but should be killed for their evil opinion'. This was the practice of 'Umar b. 'Abd al-'Azīz. On the other hand, Ibn Habīb and others amongst our companions [in the Mālikī legal school] saw that they should be charged with disbelief.

[...] The Prophet & called the Kharijites 'the most evil of creation', and this is the quality of the disbelievers. He & also said, 'They are the most evil group under the heavens. Glad tidings to the one who kills them or the one killed by them'. He & also said, 'So wherever you find them, slav them [through an operation] like the people of 'Ad'. The apparent meaning of these statements is that they are disbelievers—especially in the light of their comparison to the people of 'Ad. Those who believe that they should be charged with disbelief infer their position from this hadith. Those who adopt the opposing viewpoint retort, 'That is only due to their having gone out against the Muslims and transgressed against them. This is indicated in the hadith itself: "They will kill the people

An early sect that believed in absolute free will and that man is the creator of his own acts. En.

of Islam...." So their killing is a prescribed punishment and not because of their alleged disbelief. The mention of the people of 'Ad is a simile which signifies killing them and its lawfulness, not the state of the one killed. Not everyone given a death sentence is charged with disbelief'. Furthermore [those who believe that the Kharijites are disbelievers infer their view] from the hadith, 'They shall pass through the religion just as an arrow passes through a hunted game, never to return until an arrow returns to its bowstring', and his saying, 'It [the arrow] went too fast to be smeared with dung and blood', which indicates that he had no connection with Islam at all.'

16.1 The Two Positions of the Imams on the Disbelief of the Kharijites

The Imams of hadith, jurisprudence and Quranic exegesis have generally presented two positions regarding the disbelief of the Kharijites. Ibn Taymiyya said:

إِنَّ الْأُمُّةَ مُنْفِقُونَ عَلَى ذَمِّ الْحَوَارِجِ وَتَصْلِيلِهِمْ، وَإِنَّمَا تَنَازَعُوا فِي تَكْفِيْرِهِمْ عَلَى قَوْلَيْنِ مَشْهُورَيْنِ، فِي مَلْهَبِ الشَّافِعِيِّ أَيْصًا بَوَاعٌ فِي مَلْهَبِ الشَّافِعِيِّ أَيْصًا بَوَاعٌ فِي كُفْرِهِمْ وَلَهُنْ كَالْمُرْتَدِّيْنَ، وَمَنْ قُدِرَ عَلَيْهِ كُفُورِمْ وَلِهَذَا كَانَ فِيْهِمْ فَوْلَانِ. أَحَدُهُمَا: أَنَهُمْ كُفَّارٌ كَالْمُرْتَدِّيْنَ، وَمَنْ قُدِرَ عَلَيْهِ مِنْ فَدِرَ عَلَيْهِ مَنْ فَيْ جَوَازٍ فَتْلِهِمْ مِنْ فَاللَّهِمْ أَنْفُهُمْ أَنْفَاةٌ (وَلَا خِلَافَ فِي جَوَازٍ فَتْلِهِمْ كُمَّا ذُكِرَ مِنْ قَبْلُي.

The *Umma* is unanimous in its condemnation of the Kharijites and in declaring them misguided; their only contention was regarding whether they are charged with disbelief [or not]. There are two well-known opinions in the legal school of Mālik and Aḥmad concerning this, and there is also dispute about their disbelief in the legal school of al-Shāfi'ī. For this reason, there are two opinions regarding them: [One] that they are disbelievers

¹ Qādī 'Iyād, al-Shifā, pp. 842-843.

like apostates, and that repentance is to be sought from whomever amongst them is apprehended; and if he repents [well and good], otherwise he is to be killed. [Two] that they are rebels (as was mentioned earlier; there is no disagreement that it is permissible to kill them).¹

16.2 THE FIRST POSITION: THE KHARIJITES ARE DISBELIEVERS

سَيَخُرُجُ قَوْمٌ فِي آخِرِ الزَّمَانِ. أَخْدَاثُ الْأَسْنَانِ، سُفَهَاءُ الْأَخْلَامِ. يَقُولُونَ مِنْ خَيْرِ فَوْلِ الْبَرِيَّةِ. لَا يُجَاوِزُ إِيْمَانُهُمْ حَنَاجِرَهُمْ. يَمْرُقُونَ مِنَ الدَّيْنِ كَمَا يَمْرُقُ السَّهُمُ مِنَ الرُّمِيَّةِ، فَأَيْنَمَا لَقِيْتُمُوهُمْ فَاقْتُلُوهُمْ، فَإِنَّ فِي قَيْلِهِمْ أَجْرًا لِمَنْ فَسَلَّهُمْ يَوْمَ الْقِيَامَةِ.

'At the end of time there shall appear a folk, young in age and foolish. They will speak the words of the best of people, but they shall pass through Islam just as an arrow passes through a hunted game. Wherever you encounter them, kill them [following the legal procedure], for killing them will be rewarded [by God] on the Day of Resurrection'. 2

Here, the prophetic command to kill them and the mention of Divine reward establish that the Kharijites are disbelievers. Another proof for this position is the narration of Sufyān b. 'Uyayna who reported from Abū Ghālib that Abū Umāma & said.

¹ Ibn Taymıyya, *Majmūʻā al-fatāwā*, 28:518.

² Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kitāb istitāba al-murtaddīn wa al-mu'ānidīn wa qitālihim [The Book on Demanding the Repentance of the Apostates and Reprobates, and Fighting Them], chapter: 'On Fighting the Kharijites and the Heretics after Establishing the Evidence against Them', 6:2539 \$6531; Muslim in al-Ṣaḥīḥ: Kitāb al-Zakāt [The Book of Zakat], chapter: 'The Encouragement to Kill the Kharijites', 2:746 \$1066; and al-Tirmidhī in al-Sunan: Kitāb al-fitan [The Book of Tribulations], chapter: 'Concerning the Trait of Renegades [al-māriqa]', 4:481 \$2188.

شَرُّ قَتَلَى قُطِلُوا تَخَتَ أَدِيْمِ السَّمَاءِ، وَحَمَرٌ فَيِهْلِ مَنْ قَتَلُوا. كِلَابُ أَهْلِ النَّارِ، قَدْكَانَ هَاؤُلَاء مُسْلَمْتُ، فَصَارُهِا كُفَّارًا.

'They are the most evil of those slain under the heavens, and the best of those killed is the one whom they kill. They are the dogs of Hell; they were Muslims and then [due to rebellion and revolt] became disbelievers'.

This narration is explicit, for it states that the Kharijites were previously Muslims, and then became disbelievers due to their self-made false beliefs.

16.2.1 IMAM AL-BUKHĀRĪ'S POSITION

The great scholar of hadith, Imam al-Bukhārī, penned a chapter in his Şahīh collection in which he sought to prove that the Kharijites are disbelievers. Ibn Hajar al-'Asqalānī commented:

جُمْلَةٌ مِنَ الْمُلَمَاءِ الَّذِيْنَ قَالُوا بِتَكْفِيْرِ الْحَوَارِجِ كَالْبُخَارِيِّ، حَيْثُ فَرَنَهُمْ بِالْمُرْتَدُيْنَ وَأَفْرَدَ عَنْهُمُ الْمُتَأْوِيْنَ بِترْجَمَةٍ قَالَ فِيْهِ: بَابُ مَنْ تَرَكَ قِتَالَ الْحَوَارِجِ لِلتَّأْلُفِ وَلِتَالًا يَنْفِرَ النَّاسُ عَنْهُ.

A large body of scholars said that the Kharijites are to be charged with disbelief, such as al-Bukhārī, who compared them to apostates and heretics, and only singled out individuals [amongst them] who were subject to faulty interpretations, mentioning them in a separate chapter: 'On the One Who Refrains from Fighting the Kharijites for the Sake of Drawing Hearts Near and so People Will Not Flee'.'

16.2.2 IMAM IBN JARTR AL-TABART'S POSITION

The early Qur'anic exegete and historian, Imam al-Tabari, said:

إِنَّهُ لَا يَجُوزُ قِتَالُ الْحَوَارِجِ وَقَتَلُهُمْ إِلَّا بَعْدَ إِفَامَةِ الْحُجَّةِ عَلَيْهِمْ، بِدُعَائِهِمْ إِلَى الرُّجُوع

¹ Narrated by Ibn Mājah in al-Sunan: 'Introduction', section: 'Mention of the Kharijites', 1:62 §176.

² Ibn Ḥajar al-'Asqalānī, Fath al-Bārī, 12:313.

إِلَى الْحَقِّ، وَالْإِعْذَارِ إِلَيْهِمْ، وَإِلَى ذَلِكَ أَشَارَ الْبُحَارِيُّ فِي الثَّرْجَمَةِ بِالْآيَةِ الْمَلْكُورَةِ فِيهَا، وَاسْتَذَلَّ بِهِ لِمَنْ قَالَ بِتَكْفِيرِ الْحَوَارِجِ، وَهُوَ مُفْتَطَى صَنِيْعِ الْبُحَارِيُّ، حَيْث قَرَنَهُمْ بِالْمُلْحِدِيْنَ، وَأَفْرَدَ عَنْهُمْ الْمُتَأْوَلِيْنَ بِترْجَمَةِ.

It is impermissible to fight or kill the Kharijites before the evidence is established against them by inviting them to return to the truth and warning them. This was alluded to by al-Bukhārī in his chapter heading in which he mentioned the aforementioned verse. This is the proof used by those who believe that the Kharijites are to be charged with disbelief—and that is the implication of al-Bukhārī's action, for he compared them to heretics and singled out individuals [amongst them] who were subject to faulty interpretations, mentioning them in a separate chapter.

Ibn Ḥajar al-'Asqalānī explained al-Ṭabarī's viewpoint, commenting:

مِمْنْ جَنَحَ إِلَى بَعْضِ هَذَا الْبَحْثِ: الطَّبَرِيُّ فِي تَهْذِيْدِهِ، فَقَالَ بَعْدَ أَنْ سَرَدَ أَحَادِيْتَ الْبَاسِ: فِيْهِ الرَّدُّ عَلَى قَوْلِ مَنْ قَالَ: لَا يَخْرُجُ أَحَدٌ مِنَ الْإِسْلَامِ مِنْ أَهْلِ الْقِبْلَةِ بَعْدَ اسْتِخْقَاقِهِ حُكْمَهُ، إِلَّا بِقَصْدِ الْخُرُوجِ مِنْهُ عَالِمًا، فَإِنَّهُ مُنْظِلٌ لِقَوْلِهِ فِي الْحَدِيْثِ: يَقُولُونَ الْحَقَّ، وَيَقْرُؤُونَ الْقُرْآنَ، وَيَمْرُقُونَ مِنَ الْإِسْلَامِ، وَلَا يَتَعَلَّفُونَ مِنْ إِسْ

Al-Ţabarī was of those who inclined to some of the views presented here. He said in al-Tahdhīb, after having mentioned some of the same hadith in this chapter: 'This is a refutation of those who said that no one can leave the fold of Islam from the people of the qibla, after its ruling is established for him, except with his full knowledge and intent. This contradicts [the Prophet's] saying in the hadith, "They will speak the truth and recite the Qur'ān, but they will exit from Islam and grasp nothing of it".'2

¹ Ibid., 12:299.

² Ibid., 12:300.

16.2.3 IMAM ABŪ HĀMID AL-GHAZĀLĪ'S POSITION

The Proof of Islam, Imam Abū Ḥāmid al-Ghazālī, held that the Kharijites are disbelievers. Ibn Hajar al-ʿAsqalānī said.

'In al-Wasīt, al-Ghazālī said (following others): There are two positions regarding the judgment on Kharijites: "They take the ruling of apostates or the ruling of rebels", and al-Rāfi'ī declared the first view preponderant'.

16.2.4 AL-QADI ABU BAKR IBN AL-'ARABI'S POSITION

Al-Qādī Abū Bakr Muhammad b. 'Abd Allāh b. al-'Arabī al-Mālikī is considered one of the most prominent Islamic scholars of Andalusia. He obtained his learning from eminent scholars like Imam al-Ghazālī and wrote 'Āridat al-aḥwadhī, a magisterial commentary on al-Tirmidhī's collection. Ibn Ḥajar mentioned that he also believed that the Kharijites were disbelievers:

بِذَلِكَ صَرَّحَ الْقَاضِي أَبُو بَكُرِ بْنُ الْعَرَبِيِّ فِي شَرْحِ الثَّرْمِذِيِّ فَقَالَ: اَلصَّجِيْحُ أَلَهُمْ
كُفُّارٌ لِقَوْلِهِ ﷺ: يَفَوْقُونَ مِنَ الْإِسْلَامِ وَلِقَوْلِهِ: لاَّقْتَلْنَهُمْ قَتْلُ عَادٍ، وَفِي لَفَظِ: قَتْلَ نَفُودَ، وَكُلُّ مِنْهُمَا إِنَّمَا هَلَكَ بِالْكُفْرِ، وَلِقَوْلِهِ: هُمْ شَرُّ الْجَلْقِ وَلَا يُوصَفُ بِلَلِكَ إِلَّا لَمُعَنَّ الْجَلْقِ إِلَى اللهِ تَعَالَى، وَلِحُكْمِهِمْ عَلَى كُلُّ مَنْ حَالَفَ اللهِ تَعَالَى، وَلِحُكْمِهِمْ عَلَى كُلُّ مَنْ حَالَفَ مُعْتَقَدَهُمْ بِالْكُفْرِ وَالتَّخْلِيْدِ فِي النَّار، فَكَانُوا هُمْ أَحَقُ بِالْإِسْمِ مِنْهُمْ.

This was explicitly stated by al-Qādī Abū Bakr b. al-'Arabī in his commentary on al-Tirmidhī's [collection]. He said, 'The correct position is that they are disbelievers, due to the Prophet's statements , "They shall pass through Islam" and "I would slay them like the people of 'Ad", and in another wording, "like the people of Thamūd". Both 'Ad and Thamūd were destroyed because of disbelief. The Prophet also said, "They are the worst

Ibn Hajar al-'Asqalani, Fath al-Bari, 12:285.

of creation", and none but the disbelievers are described like that. He also said, "They are the most detested of creation in the sight of God Most High". And because they ruled that everyone who opposed their belief was guilty of disbelief and would abide eternally in the Fire, they were more deserving of that than those whom they charged'.

16.2.5 QADI 'IYAD'S POSITION

Qāḍī 'Iyāḍ, the renowned author of al-Shifā, one of the most famous and authentic books detailing the exalted rank of the Prophet Muhammad , was also of the opinion that the Kharijites are disbelievers. He said in his commentary on Sahīh Muslim:

قَالَ بَغْصُ شُيُوخِتَا: قَالَ أَبُو سَعِيْدِ الْخَدْرِيُ عَلَى: سَمِعْتُ رَسُولَ اللهِ عَلَى يَقُولُ: يَخْرُجُ فِي هَذِهِ الْخُقْدِ عَلَى سَعَةِ فَقَالَ اللهِ عَلَى سَعَةِ فِقْهِ الصَّحَابَةِ عَلَى الْإِمَامُ (الْمَازِدِيُ وَنَقَلَة النَّوْوِيُّ): هَذَا مِنْ أَذَلُ الشَّوْاهِدِ عَلَى سَعَةٍ فِقْهِ الصَّحَابَةِ عَلَى الْإِمَامُ (الْمَازِدِيُ وَنَقَلَة النَّوْوِيُّ): هَذَا مِنْ أَذَلُ الشَّوْاهِدِ عَلَى سَعَةٍ فِقْهِ الصَّحَابَةِ عَلَى التَّفِيقِ مِنْ تَفْتَعِي كُونَهُمْ مِنَ الْحُدْرِيِّ عَلَى الثَّفْرِيقِ بَيْنَ "فِي"، وَفِي تَنْبِيهِ الْحُدْرِيِّ عَلَى الثَّفْرِيقِ بَيْنَ "فِي"، وَفِي تَنْبِيهِ الْحُدْرِيِّ عَلَى الثَّفْرِيقِ بَيْنَ "فِي"، وَشِي" إِنْكُ أَنْهُ اللهُ لَمْ اللهُ يَقُلُ مِنتها، ذَلُ عَلَى إِشَارَةً حَسَنَةً إِلَى الْقُولِ بِتَكْفِيْرِ الْحَوَارِجِ، لِأَنَّهُ أَقْهَمَ، بِأَنْهُ لَمُا لَمْ يَقُلْ مِنتها، ذَلُ عَلَى إِشَارَةً حَسَنَةً إِلَى الْقُولِ بِتَكْفِيلُ الْحَوْرِجِ، لِأَنَّهُ أَقَهُمَ، بِأَنْهُ لَمُا لَمْ يَقُلْ مِنتها، ذَلُ عَلَى إِشَارَةً حَسَنَةً إِلَى الْقُولِ بِتَكْفِيلُ الْحَوْرِجِ، لِأَنَّهُ أَقَهُمَ، بِأَنْهُ لَمُا لَمْ يَقُلْ مِنتها، ذَلُ عَلَى الْتُولِ مِنْ أَمْتِي مِنْ أُمْتِي مِنْ أُمْتِي مِنْ أَمْتِي مِنْ أُمْتِي مِنْ أَمْتِي مِنْ أُمْتِي الْحُدِيْتُ مِنْ أُمْتِي الْعَمْقِي مِنْ أُمْتِي مُنْ أُمْتِي مِنْ أُمْتِي

Some of our teachers reported, 'Abū Sa'īd al-Khudrī said, "I heard the Messenger of God say, 'There shall appear a folk in this Umma', and he did not say 'from it', 'and you will belittle your prayers in comparison to theirs...'" The Imam [al-Māzirī] said [and Imam al-Nawawī has quoted it], 'This is one of the most telling testimonies to the deep understanding of the Companions and their exactitude in words and discrimination between

I Ibid., 12:299.

subtle indications. That is because the expression "from" implies that they are from the *Umma* and not disbelievers, contrary to the expression "in". Al-Khudrī's notice regarding the distinction between "from" and "in" is a fine allusion to the view that the Kharijites are to be charged with disbelief, because he explained that since he did not say "from the *Umma*", it indicates that they are not from the *Umma* of Muhammad —even though Abū Dharr narrated after this statement: "He said, 'Indeed there shall be some from my *Umma* after me' or 'There shall be some from my *Umma* after me'." And in the narration of 'Alī & it reads, "There shall appear from my *Umma*".'

Seeking to reconcile between these two seemingly contradictory narrations, Ibn Ḥajar said, 'This hadith is reconciled with Abū Saʿīd's by stating that the meaning of *Umma* in the hadith of Abū Saʿīd is the *Umma* of Response, and the meaning of *Umma* in the others' narrations is the *Umma* of Invitation'.

It should be kept in mind that the *Umma* of Response is the Muslim *Umma* proper, whereas the *Umma* of Invitation is all of humanity to whom the Prophet horought his message, whether they accept it or not. Imam al-Nawawī explained further:

فِيْهِ إِشَارَةٌ مِنْ أَبِي سَعِيْدٍ إِلَى تَكْفِيْرِ الْحَوَارِجِ، وَأَنْهُمْ مِنْ غَيْرِ هَلِهِ الْأُمَّةِ، وَفِي حَدِيْثِ الْحَوَارِجِ مِنْ أَخْبَارِهِ عَيْمِهِ عَنِ الْفُيُوبِ مَا يَغْظُمُ مَوْقِفُهُ، مِنْهَا: إِشَارَتُهُ ﷺ إِلَى مَا يَكُونُ بَعْدَهُ مِنَ اخْتِلَافِ الْأَمْةِ فِي تَكْفِيْرِهِمْ.

In this hadith there is an allusion from Abū Sa'id al-Khudrī that the Kharijites are to be charged with disbelief and that they are not from this *Umma*. And the hadith about the Kharijites contains news of the unseen from the Prophet pregarding momentous events, such as his allusion to the disagreement the *Umma* would have about charging them [the Kharijites] with disbelief.³

¹ Qādī 'Iyād, Ikmāl al-mu'lim bi fawā'id Muslim, 3:612.

² Ibn Ḥajar al-'Asqalānī, Fath al-Bārī, 12:289.

³ Ibid.

16.2.6 IMAM AL-QURTUBI'S POSITION

Imam Abū al-'Abbās Aḥmad b. 'Umar b. Ibrāhīm al-Anṣārī al-Qurṭubī al-Mālikī was one of the eminent Islamic scholars of Córdoba. Although famous for his Qur'ānic exegesis, he was also the author of an authoritative and oft-quoted commentary on \$ahīḥ Muslim. In it, he declared the Kharijites disbelievers.

قَوْلُ الْقَائِلِ فِي قِسْمَةِ النّبِيِّ فَيْ عَلَيْهِ قِسْمَةٌ مَا أَرِيْدَ بِهَا وَجْهُ اللهِ، أَوْ: مَا عُدِلَ فِيهَا " فَقُولُ الْقَائِلِ فِي قِسْمَةً اللهِ عَلَيْظِ الطّبِي، حَرَيْسٍ، مُنَافِقٍ. وَكَانَ حَقُهُ أَنْ يُقْتَلُهُ النّبِي اللهُ وَقَدْ قَالَ اللهُ تَعَالَى: ﴿ وَاللّٰذِينَ يُؤْذُونَ رَسُولَ اللّٰهِ لَهُمْ عَذَاتُ أَلِيمَ ﴾. فَالْفَذَابُ فِي الدُّتِهَا هُوَ: القَتْلُ، لَكِنَ لَمْ يَشْتُلُهُ النّبِي فَيْ لِلْمَعْتَى اللّٰذِي عَلَيْهِ مَا لَهُ اللّٰهِ فَيْ لِلْمَعْتَى اللّٰذِي عَنْهُمْ وَلِيقَاقِهِمْ وَاللّٰهِ اللهِ عَلَيْهِ مِنْهُمْ وَلِيقَاقِهِمْ . اللّٰهُ اللهِ عَلَيْهِ مِنْهُمْ ، وَبِيقَاقِهِمْ . اللّٰهِ اللهِ عَلَيْهِ مِنْهُمْ ، وَبِيقَاقِهِمْ . وَقَدْ أُمِنتَ عِلْكَ الْمِلّةُ بَعْدَ رَسُولِ اللهِ عَلَيْهِ مَا كَانَ مَعْمَدُهُ ، وَإِنّمَا هُوَ الزُنْدَقَةُ ، وَهَذَا أُمِنتَ عِلْكَ الْمِلّةُ بَعْدَ رَسُولِ اللهِ عَيْهِ ، فَلَا فِقَاقَ بَعْدَهُ ، وَإِنّمَا هُوَ الزُنْدَقَةُ ، وَهَذَا أُمِنتَ عِلْكَ الْمِلّةُ بَعْدَ رَسُولِ اللهِ عَيْهِ ، فَلَا فِقَاقَ بَعْدَهُ ، وَإِنّمَا هُوَ الزُنْدَقَةُ ، وَهَذَا أُمِنتَ عِلْكَ الْمِلّةُ بَعْدَ رَسُولِ اللهِ عَيْهِ ، فَلَا فِقَاقَ بَعْدَهُ ، وَإِنّمَا هُوَ الزُنْدَقَةُ ، وَهَذَا أُمِنَا عَلَيْهِ الْمَعْقُ اللّهُ اللّهِ اللهُ اللهُ اللهُ اللهُ عَلَى الْمَنْهُ اللّهُ اللّهُ اللّهُ الْمِنْهُ اللّهُ الْمُنْهُ اللّهُ اللهُ اللّهُ اللّهُ اللهُ اللّهُ اللهُ اللّهُ اللهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللهُ اللهُ اللهُ اللهُ اللهُ اللهُ اللهُ اللّهُ اللهُ اللّهُ اللّهُ الللهُ اللّهُ اللهُ اللّهُ اللهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللهُ اللهُ الللّهُ اللّهُ اللّهُ اللّهُ الللهُ الللهُ

The statement of the one who said when the Prophet was apportioning the war booty, 'This apportioning is not for the sake of God', or 'is unjust', is the statement of one ignorant of the Prophet's state. It is the statement of one who is coarse in nature, covetous and a hypocrite. He deserved to be put to death because he annoyed the Messenger of God, and God Most High said, 'And those who annoy the Messenger of God will have a painful punishment'. The punishment in this life is death; however, the Prophet in did not kill him for the reason mentioned in the hadith of Jābir, 'Lest the people say that Muhammad kills his Companions'. This is the rationale for the Prophet prohibiting the killing of the hypocrites, even though he knew the identities and hypocrisy of many of them. That rationale no longer applies after the

¹ Qur'ān 9:61.

Messenger of God ... There is no hypocrisy after him; only heresy—and this is the truth and what is correct.'

In the light of the aforementioned Qur'anic verse, annoying the Messenger of God is an act of blasphemy, which some scholars held was enough to charge the Kharijites with disbelief. Elsewhere, al-Ourtubī said:

لَيْنَ أَذَرَ كُنهُمْ لَاقْتِلَنهُمْ قَنْلَ عَادٍ، وَفِي الْأَخْرَى: قَنْلَ ثَمُودَ، وَمَعْنَى هَذَا: لَيْنَ أَذَرَعُهُمْ لَيَقْنَلَتُهُمْ قَتْلَا عَامًا، بِحَيْثُ لا يُبْقِى مِنهُمْ أَحَدًا فِي وَقْتِ وَاحِدٍ، لا يُوْخُرُ قَنْلَ بَعْضِهِمْ عَنْ بَعْضِ، وَلَا يُقِيْلُ أَحَدًا مِنهُمْ، كَمَا فَعَلَ اللهُ بِعَادٍ؛ حَيْثُ أَهْلَكُهُمْ بِالنِّحِ الْعَقْنِهِمْ عَنْ بَعْضِ، وَلا يُقِيلُ أَحَدًا مِنهُمْ، كَمَا فَعَلَ اللهُ بِعَادٍ؛ حَيْثُ أَهْلَكُهُمْ بِالنِّحِ الْعَنْمِةِ فَلَا اللّهُ فِيلِ أَنْ هَذِي وَمُقْصُودُ هَذَا التّعْبِيلِ أَنْ هَذِي الْمُسْلَحِ، وَلَمْ يَتَعَلَّقْ بِهَا مِنهُ شَيْءً، كُمَا حَرَجَ هَذَا السّهُمُ مِنْ مَلْوِهُ الْمُومِ عَلَى اللّهِمُ عَنْ مَنْ عَلَى اللّهُ عَلَى الللللّهُ عَلَى اللّهُ عَلَى اللّهُ عَلَى ا

[The Prophet's statement,] 'If I were to encounter them I would slay them like the people of 'Ad', and in another wording, 'like the people of Thamūd', means that if he were to encounter them he would kill them all, in the sense that not a single one of them would remain at one given time, and none of them would be left for another day—just as God dealt with 'Ad, destroying them with a grievous wind, and destroying Thamūd with the dreadful shriek. I say: The intent behind this simile is that this group has left the religion of Islam and are not connected with it in any way, just as this arrow exited from that hunted game which, due to the severity of its draw and its speed, exited [the body] before blood came out and

¹ Muhammad al-Qurtubī, al-Mufhim, 3:107.

nothing was attached to it. This is just as he said, 'too fast to be smeared with blood or dung'. Our imams who ruled that the Kharijites are to be charged with disbelief held to the import of this simile, although many scholars hesitated in charging them with disbelief due to the Prophet's saying [at the end of the aforementioned hadith], 'It is doubtful that anything will hang on to it', which implies that there is a degree of doubt regarding them, and thus there is hesitation with respect to their ruling. It seems that the first view, that of charging them with disbelief, is more apparent in the hadith."

Ibn Ḥajar al-'Asqalānī commented on al-Qurţubī's words:

يُؤيَّلُ الْقُوْلُ بِتَكْفِيْرِهِمُ الشَّمْثِيلُ الْمَلْتُكُورُ فِي حَدِيْثِ أَبِي سَعِيْدٍ، فَإِنَّ ظَاهِرَ مَقْصُودِهِ أَنْهُمْ خَرَجُوا مِنَ الْإِسْلَامِ، وَلَمْ يَتَعَلَّقُوا مِنْهُ بِشَيْءٍ، كَمَا حَرَجَ السَّهْمُ مِنَ الرَّمِيَّةِ لِسُرْعَتِهِ وَقُوْةِ رَامِنْهِ، بِحَيْثُ لَمْ يَتَعَلِّقُ مِنَ الرَّمِيَّةِ بِشَيْءٍ.

The simile within the hadith of Abū Sa'īd supports the view that they are to be charged with disbelief, for its apparent meaning is that they have left the fold of Islam and have no connection with it whatsoever, just as an arrow exits from a hunted game due to its speed and the strength of the archer, leaving no trace of the game on it.²

16.2.7 SHAYKH IBN TAYMIYYA'S POSITION

Shaykh Ibn Taymiyya believed that the Kharijites were disbelievers. Writing about their emergence, beliefs and appearance, he said:

اَلْمَقْصُودُ هُنَا أَنَّ الْحَوَارِجَ طَهَرُوا فِي الْفِئْنَةِ، وَكَفْرُوا عُثْمَانَ وَعَلِنًا عَلَيْ وَمَنْ وَالاَهْمَا.

. . . وَكَانُوا كُمَّا وَصَفَهُمُ النَّبِيُ عَلَيْهِ: يَقْتُلُونَ أَهُلَ الْإِينَ الْمِعْ وَيَدَعُونَ أَهُلَ الْأُونَانِ.
وَكَانُوا أَعْظَمَ النَّاسِ صَلَاةً وَصِيَامًا وَقِرَاءَةً، كُمَّا قَالَ النَّبِيُ عَلَيْهِ: يَخْفِرُ أَحَدُكُمْ صَلَاتَهُ
مَعَ صَلَائِهِمْ، وَصِيَامَهُ مَعَ صِيَامِهِمْ، وَقِرَاءَتُهُ مَعَ قِرَاءَتِهِم، يَقْرَوْنَ الْقُرْآنَ لا يُجَاوِرُ

¹ Ibid., 3:110.

² Ibn Hajar al-'Asqalānī, Fath al-Bārī, 12:300.

حَنَاجِرَهُمْ، يَمْرَقُونَ مِنَ الْإِسْلَامِ كَمَا يَمْرُقُ السَّهُمْ مِنَ الرَّمِيَّةِ. وَمُرُوقَهُمْ مِنْهُ: خُرُوجُهُمْ، السِّيغَ مِنَ الرَّمِيَّةِ. وَمُرُوقَهُمْ مِنْهُ: خُرُوجُهُمْ، المُسْخِيحِ، أَنَّهُ فَلَا فَنَتَ عَنْهُ فَلَى فِي المُسْخِيحِ، أَنَّهُ فَلَى المُسْخِينَ فَالَ: الْمُسْلِمُ مَنْ سَلِمَ الْمُسْلِمُونَ مِنْ لِسَالِهِ وَيَدِهِ. . . . وَهُمْ اَسَعُوا فِي الْمُسْلِمِينَ أَلْدِيهُمْ وَأَلْسِنَتُهُمْ فَخَرَجُوا مِنْهُ رَأَى مِنَ الْإِسْلامِ).

The point here is to state that the Kharijites emerged during a time of tribulation and declared 'Uthman and 'Alī disbelievers, as well as those who allied with them. ... As the Prophet A described them, they would 'kill the people of Islam and leave the idol worshippers'. The Prophet & said they were the most assiduous of people when it came to prayers, fasting and recitation: 'You will consider your prayers, fasting and recitation insignificant in comparison to theirs. They shall recite the Our an but it will not pass their throats. They shall exit from Islam just as an arrow exits a hunted game'. Their 'exiting' from it means their leaving it due to their belief that it is lawful to shed the blood of the Muslims and seize their wealth. It is established in the rigorously authentic collection [of al-Bukhārī] that he & said, 'The Muslim is he from whose tongue and hand the Muslims are safe' ... and they [on the other hand] extended their hands, harming the Muslims with their hands [through armed struggle and terrorist activities] and tongues [declaring them infidels], and so they left it [i.e., Islam]. I

16.2.8 IMAM TAQI AL-DIN AL-SUBKI'S POSITION

Imam Taqī al-Dīn Abū al-Ḥasan 'Alī b. 'Abd al-Kāfī al-Subkī was one of the eminent latter-day scholars and jurists and author of Shifā al-siqām, a well-known book about seeking means through the person of the Prophet and undertaking journeys to visit him at his tomb. In his collection of formal legal verdicts, he declared the Kharijites disbelievers. Ibn Ḥajar al-'Asqalānī said:

Ibn Taymiyya, al-Nubuwwāt, p. 225.

مِمْنَ جَنَحَ إِلَى ذَلِكَ مِنْ أَيْمُةِ الْمُتَأْخَرِيْنَ الشَّيْخُ تَقِيُّ اللَّيْنِ السُّنَكِيُّ فَقَالَ فِي فَتَاوِيْهِ: إخْتَجُّ مَنْ كُفِّرَ الْخَوَارِجَ وَغُلَاةً الرَّوَافِسِ بِتَكْفِيْرِهِمْ أَعْلَامَ الصَّحَابَةِ لِتَعْمَلُنِهِ تَكْلِيْبَ النَّبِيِّ ﷺ فِي شَهَادَتِهِ لَهُمْ بِالْجَنَّةِ، قَالَ: وَهُوَ عِنْدِي اخْتِجَاجُ صَجْمَحٌ.

Shaykh Taqī al-Dīn al-Subkī was of the latter-day imams who inclined to that view. He said in his collection of legal verdicts, 'Those who charged the Kharijites and the extremist Shiites with disbelief argued that they were disbelievers because they charged the notable Companions with disbelief, for that entails belying the Prophet in his testimony that they are in Paradise. And as I see it, this argument is valid'.'

It should be pointed out that someone can be from the Kharijites without necessarily charging the Companions with disbelief. The great Ḥanafī jurist, Ibn ʿĀbidīn al-Shāmī stated,

يُكَفِّرُونَ أَصْحَابَ نَيِّنَا ﷺ، عَلِمْتُ أَنَّ هَذَا غَيْرُ شَرْطٍ فِي مُسَمَّى الْحَوَارِجِ، بَلْ هُوَ بَيَانَ لِمَنْ حَرَجُوا عَلَى سَيِّدِنَا عَلِيِّ ﷺ، وَإِلاَّ فَيَكْفِى فِيْهِمُ اعْتِقَادُهُمْ كُفْرَ مَنْ حَرَجُوا عَلَيْهِ.

'They charged the Companions of our Prophet * with disbelief; but you should know that this is not a pre-requisite for the term Kharijite; rather, it is but an explanation regarding those who rebelled against our master 'Alī *. Otherwise, it suffices that they believe the one whom they rebel against is a disbeliever'.

16.2.9 IMAM ABŪ ISHAQ AL-SHĀŢIBĪ'S POSITION

The great jurist and legal theorist of the Mālikī school, Imam al-Shāṭibī, said about the Kharijites:

أَلَا تَرَى أَنَّ الْخَوَارِجَ كَيْفَ خَرَجُوا عَنِ الدِّيْنِ كَمَا يَخْرُجُ السَّهْمُ مِنَ الصَّيْدِ الْمَرْمِيُّ؟

I Ibn Hajar al-'Asqalānī, Fath al-Bārī, 12:299-300.

² Ibn 'Abidīn, Radd al-muḥtār, 4:262.

لِأَنْ رَسُولَ اللهِ عَلَيْهِ وَصَلَقَهُمْ بِأَنْهُمْ يَقْرُؤُونَ الْقُرْآنَ لَا يُجَاوِزُ تَرَافِيهُمْ، أَنْهُمْ لَا يَتَعَلَّهُونَ بِهِ حَتَى يَصِلُ إِلَى قُلُوبِهِمْ. . . . فَإِنَّهُ إِذَا عَرْفَ الرَّجُلُ فِيْمَا نَزَلَتِ الآيَةُ، أَو السُّورَةُ عَرْفَ مَخْرَجُهَا وَتَأْوِيلُهَا وَمَا قَصَلَا بِهَا، . . . وَإِذَا جَهِلَ فِيْمَا أُنْزِلَتِ احْتَمَلَ التَّطُرُ فِيهَا أُوْجَهَا. . . . وَلَيْسَ عِنْدَهُمْ مِنَ الرُسُوخِ فِي الْعِلْمِ، مَا يَهْدِيْهِمْ إِلَى الصَّوَابِ أَوْ يَقِفُ بِهِمْ دُونَ افْتِحَام حِمَى الْمُشْجَلِاتِ. فَلَمْ يَكُن بُلُهُ مِنَ الْأَخْدِ بَلَ المَثُوابِ أَوْ يَقِفُ بِهِمْ دُونَ افْتِحَام حِمَى الْمُشْجَلِاتِ. فَلَمْ يَكُن بُلُهُ مِنَ الْخُقِ مِنَ الرَّانِي أَوْ التَّالِيلِ بِالتَّحَرُصِ الَّذِي لَا يَغْنِي مِنَ الْحَقِّ شَيْنًا إِذْ لَا ذَلِيلَ عَلَيْهِ مِنَ السُّرِيةِ فَصَلُوا وَأَصَلُوا.

وَمِمّا يُوصِّحْ ذَلِكَ مَا حَرْجَهُ ابْنُ وَهُبِ عَنْ بُكُيْرٍ أَنَّهُ سَأَلَ نَافِعَا: كَيْفَ زَأَى ابْنُ عُم عُمْرَ فِي الْحُرُورِيَّةِ؟ قَالَ: يَرَاهُمْ شِرَارَ حَلْقِ اللهِ. إِنْهُمْ الْطَلَقُوا إِلَى آيَاتٍ أُنْزِلَتْ فِي الْكُفُّارِ فَجَمَلُوهَا عَلَى الْمُؤْمِنِيْنَ. فَسُرُّ سَعِيْدُ بْنُ جَبَيْرٍ مِنْ ذَلِكَ، فَقَالَ: مِمّا يَعْبُعُ الْحُرُورِيَّةَ مِنَ الْمُتَشَابَهِ قَوْلُ اللهِ تَعَالَى: ﴿ وَمَن لَمْ يَحْكُم بِمَنا أَنزِلَ اللهُ فَأُولَئِكَ هُمُ الْحُرُورِيَّةَ مِنَ الْمُتَشَابَهِ قَوْلُ اللهِ تَعَالَى: ﴿ وَمَن كَفَرَ عَدَلَ بِرَبُهِ فَقَدْ أَشْرَكَ فَهَذِهِ الْإِنَّا الْإِمَامَ يَخْكُمُ الْحُرُورِيَّةِ مِنْ الْمُعَلِّى فَيْلًا اللهِ عَلَى الْحَهْلِ بِالْمُعْنَى الَّذِي نَوْلَ فِيْهِ الْفُرَانُ. وَقَالَ نَافِحَ: عَلَيْهِ ابْنُ عُمْلِ وَهُوَ النَّاشِيُّ عَنِ الْجَهْلِ بِالْمُعْنَى الَّذِي نَوْلَ فِيْهِ الْقُرْانُ. وَقَالَ نَافِحَ: إِنَّ ابْنَ عُمْرَ عَلَى كَانَ إِذَا سُئِلَ عَنِ الْجَهْلِ بِالْمُعْنَى الَّذِي نَوْلَ فِيْهِ الْفُسْلِمِيْنَ وَيَسْتَعِلُونَ وَمَاعُمْهُ وَأَمْوَالُهُمْ.

Do you not see how the Kharijites exited from the religion just as an arrow exits from a hunted game? That is because the Messenger of God described them, saying that they will recite the Qur'an but it will not pass their throats; that is because they do not gain a deep understanding of it, which would allow it to reach their hearts.... So when someone knows the circumstances behind the revelation of a Qur'anic verse, or the chapter, he will know its context, interpretation and what was meant by it.... [A]nd when he is ignorant of the circumstances behind its revelation,

the mind will consider multiple possibilities. They do not have grounding in knowledge that would guide them to what is correct or prevent them from trespassing beyond the boundaries of problematic areas. For that reason it is inevitable that a shallow opinion is taken or that there is a baseless interpretation founded on conjecture that does not suffice for the truth, for there is no evidence in support of it in the Sacred Law. As a consequence of this, they went astray and led others astray.

This is further explained by the report narrated by Wahb from Bukayr, who mentioned that he asked Nāfi'. 'What was Ibn 'Umar's view regarding the Harūrivva?' Nāfi' replied, 'He believed that they were the worst of God's creation. They took the verses revealed about the disbelievers and applied them to the believers', Sa'īd b. Jubayr explained that and said, 'Of the ambiguous verses that the Harūriyya follow is God's words: 'And whoever does not judge by what God has revealed, then they are the disbelievers' [Our'an 5:44], juxtaposed with the verse, 'Yet those who disbelieve hold others as equal with their Lord' [Qur'an 6:1]. When they see the ruler judge unjustly they proclaim, "He has disbelieved, and whoever disbelieves has held [himself] equal with his Lord and is therefore an idolater, hence the Umma, too, are idolaters!" Then they revolt and kill. As far as I see it, it is because they [falsely] interpret this verse'. This is the meaning of 'opinion' that Ibn 'Abbas & mentioned: One that stems from ignorance of the meaning with which the Our'an was revealed. Nafi' said, 'When Ibn 'Umar & was asked about Harūriyya he would reply, "They charge the Muslims with disbelief and declare their blood and wealth lawful".'1

16.2.10 IMAM IBN AL-BAZZĀZ AL-KURDARĪ'S POSITION
Imam Ḥāfiz al-Dīn Ibn al-Bazzāz al-Kurdarī, a renowned Ḥanafī
authority of the ninth century, said in his collection of legal

¹ Abū Ishāq al-Shātibī, al-I'tisām, 4:182-184.

verdicts.

يَجِبُ إِكْفَارُ الْخَوَارِجِ فِي إِكْفَارِهِمْ جَمِيْعَ الْأُمَّةِ سِوَاهُمْ.

'It is obligatory to charge the Kharijites with disbelief due to their having charged everyone of the *Umma* but themselves with disbelief'.

16.2.11 IMAM BADR AL-DĪN AL-'AYNI'S POSITION

Imam Badr al-Dīn al-'Aynī writes in his commentary on Şaḥīḥ al-Bukhārī:

قَوْلُهُ ﷺ: يَمْرُقُونَ مِنَ الدِّيْنِ، مِنَ الْمُرُوقِ وَهُوَ الْخُرُوجُ. يُقَالُ: مَرَقَ مِنَ الدِّيْنِ مُرُوقًا، حَرَجَ مِنْهُ بِيدْعَتِهِ وَصَلَالَتِهِ. وَفِي رِوَايَةِ سُويْدِ بْنِ خَفَلَةَ عِنْدَ النَّسَائِيِّ وَالطُّبُرِيِّ: يَمْرُقُونُ مِنَ الْإِسْلَامِ.

The Prophet's statement , 'They shall pass through the religion', uses the word murūq, which is to exit. It is said, 'So-and-so exited the religion [maraqa]' when he left it due to his blameworthy innovation and misguidance. In the narration of Suwayd b. Ghafla in the collections of al-Nasā'ī and al-Tabarī it says, 'They shall pass through Islam'. 2

16.2.12 IMAM AḤMAD B. MUHAMMAD AL-QASṬALĀNĪ'S POSITION

Imam Aḥmad b. Muhammad al-Qasṭalānī said in his commentary on Sahīh al-Bukhārī:

يَخْرُجُ فِي هَذِهِ الْأُمَّةِ الْمُحَمَّدِيَّةِ، وَلَمْ يَقُلْ مِنهَا، فِيْهِ صَنِطٌ لِلرَّوَايَةِ وَتَخْرِيْرُ لِمَوَاقِعِ الْأَلْفَاطِ وَإِشْعَارٌ بِأَنْهُمْ لَيْسُوا مِنْ هَذِهِ الْأُمَّةِ فَطَاهِرُهُ أَنَّهُ يَرَى إِكْفَارَفُمْ لَكِن فِي مُسْلِمِ مِنْ حَدِيْثِ أَبِي ذَرِّ: سَيَكُونُ بَمْدِي مِنْ أُمْتِي قَوْمٌ فَيَخْمَعُ بَيْنَهُ وَنَيْنَ حَدِيْثِ أَبِي سَمِيْدٍ بِأَنْ الْمُرَادَ فِي حَدِيْثِ أَبِي سَمِيْدٍ بِالْأَنْهِ أَمَّةُ الْإَجَابَةِ وَفِي غَيْرِهِ أَمَّةُ الدَّعْوَةِ.

¹ Ibn al-Bazzāz, al-Fatāwā al-bazzāziyya ʻalā hāmısh al-fatāwā al-ʿālamghīriyya, 6:318.

Badr al-Dīn al-'Aynī, 'Umdat al-qārī, 16:209.

The report, 'There shall appear in this [Muhammadan] Umma...' 'and he did not say, 'from this Umma', is a case of exactitude in the narration and clarity in expression. It gives the impression that they are not from this Umma. The apparent wording shows that he believed that they are to be charged with disbelief; however, in Muslim's narration from the hadith of Abū Dharr it reads, 'There shall appear a folk from my Umma after me'. This hadith is reconciled with the hadith of Abū Sa'īd by stating that the Umma in Abū Sa'īd's narration is the Umma of Response, and the Umma in Abū Dharr's narration is the Umma of Invitation.'

16.2.13 MULLA 'ALI AL-QARI'S POSITION Mulla 'Alī al-Qārī said in Mirgāt al-mafātīh,

يَخْتَمِلُ أَنْ يُقَالَ لَهُمْ شَبَة بِأَهْلِ الْحَقِّ لِفُلُوهِمْ فِي تَكْفِيْرٍ أَهْلِ الْمَعْصِيَةِ، وَلَكِنْهُمْ أَهْلُ الْمَاطِلِ لِمُحَالَقَتِهِمْ الْإِجْمَاعَ.

'It could be said that with their charges of disbelief against disobedient people they bear a resemblance to the people of truth [Muslims]; however, they are the people of falsehood [disbelief] because of their opposition to scholarly consensus'.²

16.2.14 SHAYKH 'ABD AL-ḤAQQ AL-DIHLAWI'S POSITION

The renowned Indian scholar, Shaykh 'Abd al-Ḥaqq al-Dihlawī, said, 'The correct position is that fighting the Kharijites in every age is an act for which one earns reward, as our master 'Alī & ordered that they be fought due to their transgression, and this is the well-known position. And the Kharijites believed that even the person who commits sins is a disbeliever—both major and minor sins'.³

¹ Aḥmad al-Qastalānī, Irshād al-sārī, 10:85-86.

² Al-Qārī, Mırqāt al-mafātīḥ sharḥ mishkāt al-maṣābīḥ, 7:107.

^{3 &#}x27;Abd al-Ḥaqq al-Dihlawī, Ash'at al-lama'āt, 3:254.

16.2.15 SHAH 'ABD AL-'AZIZ AL-DIHLAWI'S POSITION

According to Shāh 'Abd al-'Azīz al-Dihlawī, the disbelief of the Kharijites is agreed upon. He said, 'Indeed, it is a point of scholarly consensus that all who fought against 'Alī out of enmity and hatred are considered disbelievers'."

16.2.16 IMAM IBN 'ĀBĪDĪN AL-SHĀMĪ'S POSITION Ibn 'Ābidīn al-Shāmī said:

يُكَفِّرُونَ أَصْحَابَ نَيْنَا ﷺ عَلِمْتُ أَنَّ هَذَا غَيْرُ شَرْطٍ فِي مُسَمَّى الْحَوَارِجِ، بَلْ هُوَ بَيَانُ لِمَنْ حَرَجُوا عَلَى سَيِدِنَا عَلِيٍّ ﷺ، وَإِلَّا فَيَكْفِي فِيْهِمْ اطْعِقَادُهُمْ كُفْرَ مَنْ حَرَجُوا عَلَيْهِ. . ` . خَكُمُ الْحَوَارِجِ عِنْدَ جُمْهُورِ الْفُقَهَاءِ وَالْمُحَدِّثِيْنَ حَكُمُ الْبُعَاةِ، وَذَهب بَمْصُ الْمُحَدِّثِيْنَ إِلَى كُفْرِهِمْ.

They charged the Companions of our Prophet with disbelief; but know that this is not a pre-requisite for the term Kharijites; rather, it is but an explanation regarding those who rebelled against our master 'Alī . Otherwise, it suffices that they believe the one whom they rebel against is a disbeliever [for their disbelief]... According to the majority of the jurists and hadith scholars, the Kharijites are judged as rebels, and some of the hadith scholars took the position that they are disbelievers.²

16.2.17 SHAYKH 'ABD AL-RAḤMĀN MUBĀRAKPŪRĪ'S POSITION The famous hadith scholar of India, 'Abd al-Raḥmān Mubārakpūrī, said,

"إِنَّمَا هُمُ الْخَوَارِجُ" جَمْعُ خَارِجَةٍ، وَهُمْ قَوْمٌ مُنْتَدِعُونَ شُمُوا بِلَلِكَ لِخُرُوجِهِمْ عَنِ الدُّيْنِ وَخُرُوجِهِمْ عَلَى خِيَارِ الْمُسْلِمِيْنَ. وَمِمْنَ فَعَبَ إِلَى تَكْفِيْرِهِمْ أَيْصًا الْحَسَنُ بْنُ مُحَمَّدِ بْنِ عَلِيَّ وَرِوَايَةٌ عَنِ الْإِمَامِ الشَّافِعِيِّ وَرِوَايَةٌ عَنِ الْإِمَامِ مَالِكِ وَطَائِفَةً مِنْ أَهْلِ الْحَدِيْثِ.

^{1 &#}x27;Abd al-'Azīz al-Dihlawī, Tuhfat ithnā ash'ariyya, p. 795.

² Ibn 'Abidīn, Radd al-muhtār, 4:262.

'They are but Kharijites': [Khawārij] is the plural of 'khārija' ['he who went out'], and they are a group of blameworthy innovators given that name because of their having left the religion and the best of the Muslims. Those who held that they are to be charged with disbelief include al-Ḥasan b. Muhammad b. 'Alī, and there is also a narration to that effect from Imam al-Shāfi'ī, Imam Mālik and a group from the traditionists [abl al-hadīth].

16.3 THE SECOND POSITION: THE KHARIJITES ARE REBELS

Another group of scholars observed caution and did not charge the Kharijites with disbelief. Instead, they labelled them as rebels and agreed that they should be fought. Furthermore, the scholars who charged the Kharijites with disbelief also held that they are rebels and should be fought. So although there is a difference of opinion regarding the disbelief of the Kharijites, there is a consensus that they are to be fought against. Imam Ibn Qudāma al-Maqdisī said:

الْحَوَارِجُ الَّذِينَ يُكَفِّرُونَ بِاللَّنْبِ، وَيُكَفِّرُونَ عُنْمَانَ وَعَلِيُّا وَطَلَحَةً وَالزَّيْرَ، وَكَثِيرًا مِنَ الصَّحَابَةِ، وَلَذِينَ يُحَمِّمُ مَفَاهِمُ وَظَولِ الصَّحَابَةِ، وَيَسْتَحِلُونَ دِمَاءَ الْمُسْلِمِينَ، وَأَمْوَالَهُمْ، إلَّا مَنْ حَرَجَ مَعَهُمْ، فَظَاهِرُ قَولِ اللَّهُمَّةِ عِنْ أَصْحَابِنَا الْمُتَأْخِرِينَ أَنْهُمْ بُفَاةً، حُكْمُهُمْ حُكُمُ الْبُغَاةِ، وَلا حِلَافَ فِي اللَّهُمَّةِ عَلْمُ الْبُعَاةِ، وَلا حِلَافَ فِي قَلْهِمْ فَإِنَّهُ حَكْمُ الْبُعَاةِ، وَلا حِلَافَ فِي قَلْهِمْ فَإِنَّهُ خَكْمٌ مَنْصُوصً عَلَيْهِ بِأَمْرِ النَّبِي فَيْهِ. وَهَذَا قَوْلُ أَبِي حَنِيْفَةً، وَالشَّافِعِينَ، وَجُنُهُورِ الْفُقَهَاءِ، وَكَثِيرُ مِنْ أَهْلِ الْحَدِيثِ.

The Kharijites are those who declare [others] disbelievers on account of sins, and who declare 'Uthmān, 'Alī, Talha, Zubayr and many of the Companions disbelievers. And they believe it is lawful to shed the blood of the Muslims and to seize their wealth—except those of them who rebel along with them. The apparent view of the jurists from our latter-day colleagues is that they are rebels. They take the same ruling as the rebels and there is no disagreement about killing them, for it is a ruling that is textually stated in the Prophet's command . This is also the opinion

Abd al-Raḥmān Mubārakpūrī, Tuhfat al-ahwadhī, 6:354.

374 | FATWA on Terrorism and Suicide Bombings

of Abū Hanīfa, al-Shāfi'ī, the majority of the jurists and many of the traditionists [ahl al-hadīth]. I

The following is a list of scholars and jurists who only considered the Kharijites as rebels. It is worth noting that the responsibility of fighting rebels falls on the state: Islam does not allow vigilantism. no matter how noble the intention behind it.

16.3.1 IMAM ABO HANTFA

Imam Abū Ḥanīfa ruled that the Kharijites are rebels that should be fought.

عَنْ أَبِي مُطِيْعٍ، قَالَ: قُلْتُ لِأَبِي حَنِيْفَةً: مَا تَقُولُ فِي الْحَوَارِجِ الْمُحْكَمَةِ؟ قَالَ: هُمْ أَخْبَتُ الْحَوَارِجِ. قُلْتُ لَهُ: أَنْكُفُرُهُمْ؟ قَالَ: لَا. وَلَكِنْ نُقَاتِلُهُمْ عَلَى مَا قَاتلَهُمُ الْأَبَثَةُ مِنْ أَهْلِ الْخَيْرِ: عَلِي وَعُمَرُ بُنُ عَبْدِ الْعَزِيْرِ. قُلْتُ: فَإِنَّ الْحَوَارِجَ يُكَبُّرُونَ وَيُصَلُّونَ وَيَتْلُونَ الْقُرْآنَ. قَالَ: أَمَا تَذْكُرُ حَدِيْثَ أَبِي أَمَامَةً عِلَى حِيْنَ دَحَلَ مَسْجِدَ دِمَشْق، فَقَالَ لِأَبِي غَالِبِ الْجِمْصِيِّ: هَؤُلَاءِ كِلَابُ أَهْلِ النَّارِ، هَؤُلَاءِ كِلَابُ أَهْلِ النَّارِ، وَهُمْ شَهُ قَتِلَى تَحْتَ أَدِيْمِ السَّمَاءِ. رئم ذَكَرَ حَدِيثًا طَوِيْلًا، قَالَ لَهُ: أَشَيْءٌ تَقُولُهُ بِوأَيك أَمْ سَمِعْتُهُ مِنْ رَسُولِ اللهِ عُلِيمُ؟ قَالَ: إِنِّي لَوْ لَمْ أَسْمَعْهُ مِنْهُ إِلاَّ مَرَّةً أَوْ مَرَّتَيْنِ أَوْ فَلَاثَ مَوَّاتِ إِلَى سَبْعِ مَرَّاتِ لَمَا حَدُّثُتُكُمُوهُ.

Abū Mutīc said, 'I said to Abū Hanīfa, "What do vou say regarding the Muhkama faction of the Kharijites?" He replied, "They are the vilest of the Kharijites". I then asked him, "Should we charge them with disbelief?" He replied, "No: however, we fight them for the same reasons the Imams of goodness-'Alī and 'Umar b. 'Abd al-'Azīz-fought them". I then said, "But the Kharijites cry out with the takbīr [saying, 'Allāh akbar' (God is the Greatest)], offer prayers and recite the Qur'an". He retorted, "Don't you remember the hadith of Abū Umāma A.? He entered the Mosque of Damascus and said to Abū Ghālib al-Ḥimṣī, 'They are the dogs of Hellfire, they are

Ibn Qudāma al-Maqdisī, al-Mughnī, 9:4.

the dogs of the Hellfire. They are the most evil of those slain under the heavens....' Abū Ghālib asked Abū Umāma, 'Did you give your own opinion or did you hear that from the Messenger of God ?" He replied, 'Had I not heard it once, twice, thrice, four times, five times, six times or seven times, I would not have narrated it to you all'".'

16.3.2 IMAM SHAMS AL-DĪN AL-SARAKHSĪ

The renowned jurist of the Ḥanafī school, Shams al-Dīn al-Sarakhsī, held that it is lawful to seek the aid and assistance of non-Muslim citizens [ahl al-dhimma] against the Kharijites:

لا بَأْسَ بِأَنَّ يَسْتَعِيْنَ أَهْلُ الْمَدْلِ بِقَوْمِ مِنْ أَهْلِ الْبَعْيِ وَأَهْلِ الدَّمَّةِ عَلَى الْحَوَارِجِ لِأَنْهُمْ يُقَاتِلُونَ لِإِغْزَازِ الدِّيْنِ.

'There is no harm in the people of justice seeking the aid of some people from the rebels and non-Muslim citizens against the Kharijites . . . because they are fighting for the sake of promoting the religion'.²

16.3.3 IBN ḤAJAR AL-ʿASQALĀNĪ

Ibn Ḥajar said in his commentary on Şaḥīḥ al-Bukhārī

فِي الْحَدِيْثِ الْكُفُّ عَنْ قَتْلِ مَنْ يَعْتَقِدُ الْحُرُوجَ عَلَى الْإِمَامِ مَا لَمْ يَنْصَبْ لِلَّلِكَ حَرْاً، أَوْ يَسْتَعِدُ لِلْلَكِمَ، لِقَوْلِهِ فَلَيْ فَإِنْ فَا حَرَجُوا فَاقْتَلُوهُمْ. وَحَكَى الطَّبَرِيُ الْإِجْمَاعَ عَلَى ذَلِكَ فِي حَقِّ مَنْ لَا يُكَفِّرُ بِاغْتِقَادِهِ، وَأُسْنِدَ عَنْ عُمَرَ بْنِ عَبْدِ الْعَزِيْزِ أَلَّهُ كَتَبَ فِي الْخَوَارِجِ بِالْكُفِّ عَنْهُمْ مَا لَمْ يَسْفِيكُوا دَمًا حَرَامًا، أَوْ يَأْخُلُوا مَالًا، فَإِنْ فَعَلُوا فَقَالُوهُمْ، وَلَوْ كَانُوا وَلْدِي. وَمِنْ طَرَيْقِ ابْنِ جَرْبُحِ: قُلْتُ لِعَطَّاءِ: مَا يُحِلُّ لِي قِتَالَ الْمُحَوَارِجِ؟ قَالَ: إِذَا قَطَعُوا السَّبِيْلُ، وَأَحَالُوا الْأَمْرَ. وَأَسْنَدَ الطَّبْرِيُ عَنِ الْحَسَنِ: أَنَّهُ مَتَلَ عَنْ رَجُلِكَانَ إِذَا فَطَعُوا السَّبِيْلُ، وَأَحَالُوا الْأَمْرَ. وَأَسْنَدَ الطَّبْرِيُ عَنِ الْحَسَنِ: أَنَّهُ مَتَلَ عَنْ رَجُلِكَانَ إِنَّالًا مِنْ الرَّامِي.

Muhammad Zāhid al-Kawtharī, Majmā'at al-'aqīda wa 'ılm al-kalām, pp. 603-604.

² Shams al-Dīn al-Sarakhsī, Kıtāb al-mabsūt, 10:134.

وَذَهَبَ أَكْثَرُ أَهْلِ الْأُصُولِ مِنْ أَهْلِ السُّتَةِ إِلَى أَنَّ الْحَوَارِجَ فُسَاقٌ. إِنَّمَا فُسَقُوا يَتَكُفِيْرِهِمِ الْمُسْلِمِينَ مُسْتَدِيْنَ إِلَى تَأْوِيْلِ فَاسِدٍ، وَجَرُهُمْ ذَلِكَ إِلَى اسْتِبَاحَةِ دِمَاءِ مُعَالِفِيْهِمْ وَأَمْوَالِهِمْ وَالشَّهَادَةِ عَلَيْهِمْ بِالْكُفْرِ وَالشَّرْكِ. رَوَى الْحَلَّالُ فِي السُّبَةِ بِإِسْبَادِهِ، فَقَالَ: أَخْمَرَنِي يُوسُفُ بْنُ مُوسَى، أَنَّ أَبَا عَبْدِ اللهِ (أَيْ أَحْمَدَ بْنِ مُحمَّد بْنِ حَنْبَلٍ) قِبْلَ لَهُ: أَكْفَرَ الْحَوَارِخِ؟ قَالَ: هُمْ مَارِقَةً، قِبْلَ: أَكْفًارٌ هُمْ؟ قَالَ: هُمْ مَارِقَةً مَرْقُوا مِنَ الدِّيْنِ.

This hadith indicates that those who believe in revolting against the government should not be killed so long as they do not wage a war on that basis or make preparations for it—this is due to the Prophet's statement ... 'and kill them if they revolt'. Al-Tabarī cited a consensus about this with respect to the one whose beliefs do not entail disbelief, and traced a report that 'Umar b. 'Abd al-'Azīz wrote [to his governors] ordering 'that the Kharijites be left alone unharmed so long as they do not shed blood unlawfully or seize wealth. And if they do that, then launch military operation against them at state level. even if they are my own progeny'. And in one route of transmission from Iuravi it is mentioned that he said to 'Ata', 'What makes it lawful for me to kill the Kharijites?' 'Atā' replied, 'When they act as brigands on the roads and threaten security'. And al-Tabarī traced a report from al-Hasan in which he was asked about a man who held the beliefs of the Kharijites but did not revolt. Al-Hasan replied, 'People regard action more valuable than opinion'.*

And most of the scholars of legal theory [uṣūl] from Ahl al-Sunna held that the Kharijites were criminals because of their charges of disbelief levelled against the Muslims—charges that were based on corrupt, self-styled interpretations that led them to declare lawful the blood and wealth of their opponents, and charge them with

Ibn Ḥajar al-'Asqalānī, Fath al-Bārī, 12:299.

disbelief and polytheism. Al-Khalāl narrated in al-Sunna with his chain of transmission: 'Yūsuf b. Mūsā informed me that Abū 'Abd Allāh [i.e., Imam Aḥmad b. Ḥanbal] was asked, "Did the Kharijites disbelieve?" He said, "They are renegades [māriqa]". He was then asked, "Are they disbelievers?" He replied, "They are renegades; they passed through the religion".'

16.3.4 IMAM AḤMAD RIĐA KHĀN

Imam Aḥmad Riḍā Khān said about the Kharijites, 'The people of Nahrawan, who rebelled against 'Alī and declared him a disbeliever, were corrupt reprobates and arrogant rebels. They struggled under the banner of a new sect named the Kharijites, and the many disruptions that spread in the *Umma*—till today—were because of them'.²

16.4 The Rationale behind the Ruling to Eliminate the Kharijites

We see from the aforementioned quotes that the scholars differed about whether the Kharijites should be charged with disbelief or not. All of the jurists, no matter what opinion they took, agreed that they should be fought and eliminated.

In the hadith of Sharīk b. Shihāb &, the Prophet & said, 'They shall pass through the religion just as an arrow passes through a hunted game. Their notable feature is shaven heads. They shall continue to appear until the last of them appears with the Anti-Christ [al-Dajjāl]; so you should kill them when you encounter them [during war]. They are the most evil of the creation'. 'Abd Allāh b. 'Umar & reported that the Messenger of God said,

¹ Ibid., 12:300.

² Ahmad Ridā Khān, al-'Atāyā al-Nabawiyya fī al-fatāwā al-ridawiyya, 29:363.

³ Narrated by Ahmad b. Hanbal in al-Musnad, 4:421; al-Nasā'ī in al-Sunan: Kitāb taḥrīm al-dam [The Book on the Prohibition of Bloodshed], chapter: 'Regarding the One Who Unsheathes His Sword and Wields it amongst People', 7:119 \$4103; al-Nasā'ī in al-Sunan al-kubrā, 2:312 \$3566; al-Bazzār in al-Musnad, 9:294 \$3846; and al-Tayālisī in al-Musnad, 1:124 \$923.

كُلَّمَا خَرَجَ قَرْنٌ قُطِعَ، أَكْثَرَ مِنْ عِشْرِينَ مَوَّةً، حَتَّى يَخْرُجَ فِي عِرَاطِهِمُ الدَّجَّالُ.

'Every time a generation of them appears it will be cut down—this will occur over twenty times—until the Anti-Christ appears in their last remnant'.

Ibn Hubayra al-Ḥanbalī said,

فِي الْحَدِيْثِ أَنَّ قِتَالَ الْحَوَارِجِ أَوْلَى مِنْ قِتَالِ الْمُشْرِكِيْنَ، وَالْجِكْمَةُ فِيْهِ: أَنَّ فِي قِتَالِهِمْ حِفْظُ رَأْسِ مَالِ الْإِسْلَامِ، وَفِي قِتَالِ أَهْلِ الشَّرِّكِ طَلَبَ الرَّبْحِ، وَحِفْظُ رَأْسِ الْمَالِ أَوْلَى.

The hadith mentions that fighting the Kharijites is more important than fighting the pagans. The wisdom behind fighting them first is that it safeguards the capital of Islam's wealth, whereas fighting the pagans is a pursuit of profit: and protecting one's capital is more important than seeking profit.²

Ibn Taymiyya held that there is consensus on waging war against Kharijites to eliminate them:

كَانَ فِتَالَهُمْ ثَابِتًا بِالسُّنَّةِ الصَّحِيْحَةِ الصَّرِيْحَةِ وَبِاتَّفَاقِ الصَّحَابَةِ. . . . وَالْبُغَاةُ الْمَأْمُورُ بِقِتَالِهِمْ هُمُ الَّذِيْنَ بَهَوَا بَغَدَ الْإِقْتِتَالِ، وَامْتَنَعُوا مِنَ الْإِصْلَاحِ الْمَأْمُورِ بِهِ، فَصَارُوا بُهَاةً مُقَاتِلِيْنَ. وَالْبُغَاةُ إِذَا ابْتَدَأُوا بِالْقِتَالِ جَازَ فِتَالُهُمْ بِالْإِنْفَاقِ؛ كَمَا يَجُوزُ فِتَالُ الْمُوَاقِ فُطُوع الطَّرِيْقِ إِذَا قَاتِلُوا بِالنِّفَاقِ النَّاسِ.

So fighting against them is established in the authentic and explicit Sunna, and is the agreement of the Companions. . . . The rebels against whom fighting is ordered are those who rebel after fighting erupts, and who refuse to follow the command of making peace and who become militant. By the agreement of the scholars, it is permissible to fight

¹ Narrated by Ibn Mājah in al-Sunan: 'Introduction', section, 'Mention of the Kharijites', 1:61 §174.

² Ibn Ḥajar al-'Asqalānī, Fath al-Bārī, 5:157.

against rebels when they initiate fighting, just as everyone agrees that it is permissible to fight the highway brigands when they fight.

Ibn Ḥajar al-'Asqalānī said:

فِي رِوَايَةِ أَبِي إِسْحَاقَ عَنْ سُوَيْدِ بْنِ غَفَلَةً عِنْدَ النَّسَالِيِّ وَالطَّبَرِيُّ: يَمْرُهُونَ مِنَ الإِسْلام. وَكَذَا فِي حَدِيْثِ ابْنِ عُمَرَ فِي الْبَابِ، وَعِنْدَ النَّسَالِيُّ مِنْ رِوَايَةٍ طَارِقِ بْنِ زِيَادٍ عَنْ عَلِيَّ يَمْرُقُونَ مِنَ الْحَقِّ وَيِقَوْلِهِ ﷺ: فَأَيْنَمَا لَقِيْتُمُوهُمْ فَاقْتُلُوهُمْ، فَإِنَّ فِي قَتْلِهِمْ أَجْرًا لِمَنْ قَتَلَهُمْ يَوْمَ الْقِيَامَةِ.

In the narration of Abū Isḥāq from Suwayd b. Ghafla in the collection of al-Nasā'ī and al-Ṭabarī: 'They shall pass through Islam'. Likewise, in the hadith of Ibn 'Umar in the same section and recorded by al-Nasā'ī from the narration of Ṭāriq b. Ziyād from 'Alī: 'They shall pass through the truth', and: 'So kill them wherever you find them for the one who kills them shall receive a reward on the Day of Resurrection'.2

16.5 THE GREAT REWARD AWAITING THOSE WHO FIGHT THE KHARIJITES

Ibn Hajar al-'Asqalānī said:

Ibn Taymiyya, al-Nubuwwāt, pp. 223-225.

² Ibn Ḥajar al-'Asqalānī, Fath al-Bārī, 12:288.

وَمِثْلُهُ عِنْدَهُ مِنْ رِوَائِدِ يَحْتَى بْنِ أَبِي كَثِيْرٍ عَنْ أَبِي سَلَمَةً. وَفِي رِوَائِدِ مُحَمَّدِ بْنِ عَمْرٍو عَنْ أَبِي سَلَمَةَ عِنْدَهُ يَتَعَبُّدُونَ يَخْتِرُ أَحَدُكُمْ صَلَاتَهُ وَصِيَامَهُ مَعَ صَلَاتِهِمْ وَصِيَامِهِمْ. وَمِثْلُهُ مِنْ رِوَايَةٍ أَنْسٍ عَنْ أَبِي سَعِيْدٍ وَزَادَ فِي رِوَايَةِ الْأَسْوَدِ بْنِ الْعَلَاءِ عَنْ أَبِي سَلَمَة وَأَعْمَالُكُمْ مَعَ أَعْمَالِهِمْ. وَفِي رِوَايَةٍ سَلَمَةً بْنِ كُهْيْلٍ عَنْ زَيْدٍ بْنِ وَهْبٍ عَنْ عَلَى: لَيْسَتْ قِرَاءَتُكُمْ إِلَى قِرَاءَتِهِمْ شَيْئًا وَلَا صَلَاتُكُمْ إِلَى صَلَاتِهِمْ شَيْئًا. أَخْرَجَهُ مُسْلِمً وَالطَّبْرِيُ وَعِنْدَهُ مِنْ طَرِيْقِ سُلْمِمَانُ الثَّيْمِيِّ عَنْ أَنْسٍ: ذُكِرَ لِي عَنْ رَسُولِ اللهِ عَلَىٰ قَالَ: إِنَّ فِيْكُمْ قَوْمًا يَذَابُونَ وَيَعْمَلُونَ حَتَى يُعْجِبُوا النَّاسُ وَتَعْجِبُهُمْ أَنْصَابُهُمْ

وَمِنْ طَرِيْقِ حَفْصِ بَنِ أَحِي أَنَسِ عَنْ عَمْدِ بِلْفَظِ "يَتَعَمَّقُونَ فِي الدِّيْنِ". وَفِي حَدِيْثِ ابْنِ عَبَّاسِ عِنْدَ الطَّبْرَائِيَّ فِي قِصَّةِ مُنَاظَرَبِهِ لِلْحَوَارِحِ، قَالَ: فَٱتَمْتُكُمْ فَدَحَلْتُ عَلَى قَوْمٍ لَمْ أَزِ أَشِدُ اجْتِهَادًا مِنْهُمْ أَيْدِيْهِمْ كَأَنْهَا فَفِنُ الْإِبلِ وَوْجُوهُهُمْ مُعْلَمَةً مِنْ الْمَارِدِ السُّجُودِ. وَأَخْرَجَ ابْنُ أَبِي شَيْبَةً عَنِ ابْنِ عَبَّاسٍ عِلَى أَنَّهُ ذُكِرَ عِنْدَهُ الْحَوَارِجُ وَاجْتِهَادُهُمْ فِي الْمِبَادَةِ، فَقَالَ: لَيْسُوا أَشَدً اجْتِهَادًا مِنَ الرُّهْبَانِ.

In the narration of Zayd b. Wahb: 'If only the Muslim army who encounters them knew what has been decreed for them upon the tongue of their Prophet . they would rely on it land cease doing other deedsl'. Ahmad narrated a similar hadith from 'Alī with the additional wording at the end: 'It is the duty upon every Muslim to fight them [in the operation at the state level]'. [We must not relax and procrastinate in fighting and eliminating the Kharijites due to their apparent religiosity, because of] the Prophet's statement : '[You will deem] your prayers [insignificant] in comparison to their prayers'. Al-Zuhrī's narration has an additional wording reported by Abū Salama—as is in the chapter after it: 'and Iyou will deem] your fasting [insignificant] in comparison to their fasting'. And in the narration of 'Asim b. Shumavkh from Abū Sa'īd: 'You will deem your deeds insignificant in comparison to their deeds'. 'Asim also described the people of Najda al-Harūrā, saying, 'They fast during

the day and pray during the night and collect the alms according to the Sunna'. This was narrated by al-Tabarī.

A similar report is found in his [al-Tabari's] collection from the narration of Yahva b. Abī Kathīr from Abū Salama, and in a narration from Muhammad b. 'Amr from Abū Salama: 'They will be devout in their worship; one of you will deem his prayers and fasting insignificant in comparison to theirs'. And there is a similar report from the narration of Anas from Abū Sa'īd, and in the narration of Aswad b. al-'Ala' from Abū Salama. there is the additional wording: 'You will deem your deeds insignificant in comparison to theirs'. And in the narration of Salama b. Kuhayl from Zayd b. Wahb, from 'Alī: 'Your recitation will not be comparable to theirs, nor your prayers to theirs'. This was narrated by Muslim and al-Tabarī, the latter of whom narrated from the route of Sulavman al-Tavmi from Anas: 'It was mentioned to me that the Messenger of God & said, "Amongst you are a folk who persevere and strive [in good deeds] until they amaze people and their own egos amaze themselves".'

This report has an additional wording from the route of Hafs, Anas' nephew, from his uncle: 'They will absorb themselves deeply in the religion [yata'ammaqūn]'. Al-Tabarānī narrates the story of Ibn 'Abbās' debate with the Kharijites, in which Ibn 'Abbās said, 'I went to them, and I have never seen a people more assiduous in their efforts. Their hands resembled the feet of camels [thick and rough] and the marks of prostration were prominent upon their faces'. Ibn Abī Shayba narrated that when someone mentioned the Kharijites and their efforts in the presence of Ibn 'Abbās, he said, 'They are not as hard working as the monks!'

¹ Ibid., 12:288-289.

16.6 THE VIEWS OF ANWAR SHAH KASHMIRI AND SHABBIR AHMAD 'UTHMANI ON THE KHARIJITES

Anwar Shāh Kāshmīrī and Shabbīr Aḥmad 'Uthmānī, two well known scholars' from the Deobandi school of thought of th Indian Subcontinent, spoke in detail about the Kharijites and othe rebellious groups. 'Uthmānī penned a small research in his book Fath al-Mulhim, with the title: 'A Noble Research Concerning the Charge of Disbelief Applied to the Kharijites and Others from the Harūrīs and Heretics, and Whether They are to be Fought, and is so, When'. He quoted the statements of Ibn Hajar al-'Asqalānī ii which he labelled them corrupt rebels who should be fought, a per the Prophet's command : 'Kill them when they revolt agains the state'.

Then Shabbīr Aḥmad 'Uthmānī paraphrased the views of Qāḍ 'Iyāḍ, al-Qurṭubī and al-Subkī on the disbelief of the Kharijites and quoted Kāshmīrī in Fath al-Mulhim (5:154):

وَالْحَقُّ أَنَّ حَدِيْثَ الْمُرُوقِ يَدُلُّ عَلَى أَنَّ الْمَارِقَةَ أَفْرَبُ إِلَى الْكُفْرِ مِنَ الْإِيْمَانِ، وَمِنْ أَمْرَحُ مِنَ وَجَدْتُ فِيهِ مَا عِنْدَ ابْنِ مَاجَه عَنْ أَبِي أَمَامَةً: قَدْ كَانَ هَؤُلَاءِ مُسْلِمِيْنَ، فَصَارُوا كُفَّارًا. قُلْتُ: يَا أَبَا أَمَامَةً، هَذَا شَيْءً تَقُولُهُ؟ قَالَ: بَلْ سَمِعْتُهُ مِنْ رَسُولِ اللهِ فَيْ "إِيثَارِ الْحَقِّ (ص/ ٢٦)": اللهِ فَيْ "إِيثَارِ الْحَقِّ (ص/ ٢٦)": وَحَسَّنَةُ التَّرْمِذِيُّ مُخْتَمَرًا.

The truth of the matter is that the hadith which mentions 'passing' [murūq] proves that those who 'pass' are closer to disbelief than faith. The most explicit text I have found stating this is the narration of Ibn Mājah from Abū Umāma, who said, 'They were Muslims and then became disbelievers'. [Abū Ghālib, the narrator, said:] 'I asked, "Is this something you say from your own opinion, or is it something you heard from the Messenger of God." 'He replied, "... I heard it from the Messenger of God".' Al-Ḥāfiz Muhammad b. Ibrāhīm al-Yamānī said in Ithār al-haqq, 'Its chain of transmission is authentic, as declared by al-Tirmidhī in summarized form'. (p. 421)

'Uthmānī commented:

يُؤَيِّدُ الْقُولُ الْمَدُّحُورُ الْأَمْرَ بِقَتْلِهِمْ مَعَ مَا تَقَدَّمَ مِنْ حَدِيْثِ ابْنِ مَسْعُودٍ: لَا يَجِلُ قَتْلُ الْمِيَّةِ النَّارِيِّ لِلِيِّدِ؛ الْمُفَارِقُ لِلْجَمَاعَةِ وَوَرَدَ فِي بَغْضِ الرَّوَايَاتِ الصَّحِيْحَةِ: الْمُعَارِقُ مِنَ النَّيْنِ، الثَّارِكُ لِلْجَمَاعَةِ.

The aforementioned view is buttressed by the command to kill them, in addition to the hadith of Ibn Mas'ūd mentioned earlier: 'It is impermissible to kill a Muslim except for one of three reasons...' In that hadith it mentions: 'the one who leaves the religion and separates himself from the community [jamā'a]'. In some rigorously authentic narrations of the same report, it mentions, 'the one who passes through the religion [māria], and the one who separates himself from the community'.

'Uthmānī continued, elaborating the position of the Ḥanbalī school on fighting the Kharijites:

اَلطَّاهِرُ عِنْدِي دِرَايَةً وَرِوَايَةً فَوْلُ أَهْلِ الْحَدِيْثِ، أَمَّا رِوَايَةً: فَقَوْلُهُ ﷺ فَأَيْنَ لَقِيْتُمُوهُمْ فَاقْتَلُوهُمْ وَأَمَّا فَوْلُ عَلِيٍّ ﷺ فَعَمْنَاهُ أَنَّ الْإِنْكَارَ عَلَى الْإِمَامِ وَالطَّغْنِ فِيْهِ لَا يُوجِبُ فَتْلًا، حَتَّى يَنْزعَ يَنَهُ مِنَ الطَّاعَةِ، فَيَكُونُ بَاغِيًا، أَوْ فَاطِعَ الطَّرْبُقِ.

It seems apparent to me, considering the narrations and their meanings, that the correct view on this is the one held by the traditionists [ahl al-hadīth]. As for the narrations, consider the statement of the Prophet , 'So kill them wherever you find them'. And as for 'Alī's statement, it means that censuring the ruler and defaming him does not call for fighting; only when such a person challenges the writ of the government and becomes either a rebel or a brigand.²

¹ Shabbīr Ahmad 'Uthmānī, Fath al-Mulhim, 5:154.

² Ibid., 5:155.

In the conclusion of his research, 'Uthmānī mentioned both his viewpoint and the opinion of Kāshmīrī:

قَالَ فِي مَوْضِعِ آخَرَ مِنْ رِسَالِتِهِ بَعْدَ سَرْدِ الْأَعَادِيْثِ: فَعَرَجَ مِنْ هَلِهِ الْأَعَادِيْثِ بِهِذَا الْوَجْهِ وَجْهُ مِنْ كُفْرِهِمْ مِنْ أَهْلِ الْمَعْدِيْثِ، وَقَدَ نَسَبَهُ السَّنَدِيُّ عَلَى سُنَنِ النَّسَائِيُّ إِلَيْهِمْ، وَهُوَ قَوْلٌ فَحُلِّ، وَكَذَا نَسَبَهُ فِي قَنْحِ الْقَدِيْرِ إِلَيْهِمْ، وَحَرَجَ عَمَمُ الْقَرْقِ بَيْنَ الْجُحُودِ وَالتَّأْوِيْلِ فِي الْقَطْمِيَّاتِ. وَاللهُ سُبْحَانَهُ وَتَعَالَى أَعْلَمُ. وَحَرَجَ أَنْ الْكُفْرَ قَدْ الْجُحُودِ وَالتَّأْوِيْلِ فِي الْقَطْمِيَّاتِ. وَاللهُ سُبْحَانَهُ وَتِعَالَى أَعْلَمُ. وَحَرَجَ أَنْ الْكُفْرَ قَدْ يَلْوَمُ مِنْ حَيْثُ لَا يَدْرِي، مَعْ مَا يَحْقِرُ أَحَدُكُمْ صَلَاتَهُ وِصِيَامَهُ مَعَ صَلَاتِهِمْ وَمِيَامِهِمْ، وَلَيْسَتْ قِرَاءَتُهُ إِلَى قِرَاءَبِهِمْ شَيْنًا، فَحُذْ هَذِهِ الْجُمُلُ النَّبُولِيَّةُ أَمْذِهِ مَنْ حَلَى اللهُ عَمْ الْمُعْلِقِ الْمُحْلِلُ النَّبُولِةُ أَمْ اللهُ اللهُ اللهُ وَمَا اللهُ عَمْ اللهُ اللهُ عَمْ اللهُ اللهُ اللهُ عَلَى الْمُعْلِقُ اللهُ عَمْ اللهُ اللهُ عَمْ اللهُ اللهُ عَمْ اللهُ اللهُ عَمْ اللهُ اللهُ اللهُ عَلَى الْمُؤْلِقُ اللهُ اللهُ اللهُ اللهُ عَمْ اللهُ اللهُ اللهُ اللهُ عَمْ اللهُ اللهُ اللهُ اللهُ اللهُ عَلَى اللهُ اللهُ اللهُ اللهُ اللهُ عَمْ اللهُ اللهُ اللهُ اللهُ اللهُ اللهُ اللهُ اللهُ اللهُ عَلَى اللهُ عَمْ اللهُ الل

After mentioning the hadith reports elsewhere, he [Kāshmīrī] said, 'Those of the traditionists who charged them Ithe Kharijites] with disbelief derived their view from these hadith reports. Al-Sindi-may God have mercy upon him-also charged them [with disbelief] in his commentary on al-Nasa'ī's al-Sunan, and this is a solid view. Similarly, the author of Fath al-Oadir [al-Munawil charged them [with disbelief] and mentioned that there is no distinction between denial and erroneous interpretation when it comes to [disbelief in] the unequivocal matters [qat'īyāt]—and God Most High knows best. It is also derived [from these hadith reports] that disbelief may occur whilst one is unaware, in addition to the fact that 'one of you will see his prayers, fasting, deeds and recitation as insignificant in comparison to theirs'. Hence, you should take these prophetic words as a basis for the issue of charging [others] with disbelief, for they are like the letters of the Qur'an: all of them heal and suffice. I

Ibid.

CHAPTER 17

Today's Terrorists are Kharijites



A LTHOUGH WE HAVE DETAILED NUMEROUS HADITH REPORTS ABOUT the Kharijites here, there are scores more that we have not mentioned. There is no denying the fact that every era has its share of people who possess the ideas, inclinations and proclivities of the Kharijites. The Prophet made it clear that these groups would comprise immature youth who are sidetracked by propaganda and brainwashing and encouraged to commit wanton acts of violence.

It is also clear from the hadith reports that the Kharijites are not exclusive to any one given period and that they will continue to appear until the emergence of the Anti-Christ. The Prophet said,

'There shall appear a group in the direction of the east who will recite the Qur'an but it will not pass their throats. Every time a generation of them appears it will be cut down until the Anti-Christ appears from their last remnants' 2

We see from this hadith that the Prophet informed that the Kharijites will continue to emerge and spread tumult until the appearance of the Anti-Christ, which is one of the major portents of the Final Hour. In the final days of his *Umma*, there shall emerge a group with the faces of humans but with the hearts of devils. Abū Hurayra is reported that the Prophet is said,

¹ For a more detailed listing of hadith reports about the Kharijites, see my other book, al-Intibāh lı al-khawārij wa al-ḥarūrā.

² Narrated by Ahmad b. Hanbal in al-Musnad, 2:209 §6952; al-Tabarānī in al-Mu'jam al-ausat, 7:41 §6791; al-Hākim in al-Mustadrak, 4:556 §8558; al-Tayālisī in al-Musnad, p. 302 §2293; and Abū Nu'aym in Hilyat al-Awliyā', 6:54.

مِنَ اللَّيْنِ. ٱلْسِنَتُهُمْ أَخْلَى مِنَ السُّكُّرِ، وَقُلُوبُهُمْ قُلُوبُ اللَّنَاسِ. يَقُولُ اللهُ: أَبِي يَفْتَرُونَ أَمْ عَلَىَّ يَجْنَرِءُونَ؟ فَبِي حَلْفُتْ لَأَبْعَثَنَّ عَلَى أُولَئِكَ مِنْهُمْ فِيْنَةً تَدَعُ الْحَلِيْمَ مِنْهُمْ خَيْرَانًا.

'In the final days there shall appear men who acquire the world by means of the religion. In front of people they will wear the garments of sheepskins, to exhibit their gentility, and their tongues will be sweeter than sugar, but their hearts will be those of wolves. God will say, "Do they delude in My name, or do they act haughtily before Me? I swear by My Being, I will surely send a tribulation against them that will leave the [seemingly] forbearing amongst them bewildered"."

'Abd Allāh b. 'Abbās 🏂 reported that the Messenger of God 🐞 said.

سَيَجِيءُ فِي آخِرِ الزَّمَانِ أَقْوَامٌ، يَكُونُ وَجُوهُهُمْ وَجُوهَ الْآدَمِيْنَ، وَقُلُوبُهُمْ قُلُوبَ الشَّيَاطِينِ، أَمْثَالُ الدُّقَابِ الصَّوَارِيِّ، لَيْسَ فِي قُلُوبِهِمْ شَيْءٌ مِنَ الرَّحْمَةِ، سَفَّاكُونَ لِلدِّمَاءِ، لا يَرْعَوُونَ عَنْ قَبِحٍ، إِنْ تَابَعْتُهُمْ وَارْبُوكَ، وَإِنْ تَوَارَيْتَ عَنْهُمُ اغْتَابُوكَ، وَإِنْ تَوَارَيْتَ عَنْهُمُ اغْتَابُوكَ، وَإِنْ تَوَارَيْتَ عَنْهُمُ اغْتَابُوكَ، وَإِنْ لَلدِّمَاءِ وَشَابُهُمْ شَاطِرٌ وَشَابُهُمْ شَاطِرٌ وَشَيْحُهُمْ لا يَأْمُرُ بِمَعْرُوفِ وَلا يَنْهَى عَنْ مُنْكُر، الْإِغْتِرَازُ بِهِمْ ذُلِّ، وَطَلَبُ مَا فِي أَيْدِيهِمْ فَقُرّ، يَأْمُرُ بِمَعْرُوفِ وَلا يَنْهُرُوفِ فِيهِمْ مُنْهُمْ، الْمُؤْمِنُ فِيهِمْ مُسْتَعَمِّمُ وَالْمُونِ فِيهِمْ مُنْهُمْ، الْمُؤْمِنُ فِيهِمْ مُسْتَعَمِّمْ وَالْمُعْلِقُمْ فَلا يُسْتَجَابُ لَهُمْ فِيهِمْ مُنْهُمْ، وَيَذَعُو خِيَارُهُمْ فَلاَ يُسْتَجَابُ لَهُمْ.

'In the final days there shall appear groups of people with the faces of humans but with the hearts of devils, like that of raging wolves. There will not be found in their hearts even an iota of mercy. They will be given to shedding blood in abundance. They will not have any compunction

¹ Narrated by al-Tirmidhī in al-Sunan: Kitāb al-zuhd [The Book of Renunciation], 4:604 \$2404.

in committing odious acts. If you pledge your fealty to them they will betray you, and if you get away from them [for your safety] they will backbite you. When they speak to you they will lie, and if you trust them they will betray their trust. The children amongst them will run the household; the youth amongst them will be cunning; and their elder [leader] will not enjoin the good and forbid the evil. To feel honour through them is humiliation and to seek what is in their hands li.e., their ideologies and armsl is poverty [it will destroy the economy]. The [seemingly] forbearing one amongst them will be an allurer: the one who enjoins the good and forbids the evil amongst them will be suspect; the believer amongst them will be weak; and the corrupt amongst them will be honoured. The Sunna will be seen as blameworthy innovation, and blameworthy innovation will be seen as Sunna. During that time, their evil ones will gain authority over them, and the best of them will supplicate [God] but they will not be answered'.1

These traditions vividly describe the traits possessed by the modern-day terrorists. They have the faces of humans but the hearts of devils. They are devoid of mercy and full of contempt for others. They not only accuse Muslims of disbelief and polytheism, but they also target them in attacks, kill them and-to add insult to injury-film these gory scenes and disseminate them, thus bringing Islam and Muslims into disrepute.

Ibn Tavmiyva said.

'And likewise the Kharijites: since they were armed and inclined to fight, their opposition to the community [jamā'a] manifested when they fought people. However,

I Narrated by al-Tabarānī in al-Mu'jam al-kabīr, 11:99 \$11169; and in al-Mu'jam al-saghīr, 2:111 \$869.

as for today, most people do not know of them [due to their religious disguise]?.

This begs the question, if they were hidden before, how did they become known? Ibn Taymiyya answered that, saying:

مَاتَانِ الْهِدْعَتَانِ طَهَرَتَا لَمَّا قُيلِ عُفْمَانُ ﴿ إِنْ إِنْ الْهِنْدَةِ، فِي خِلافَةِ أَيشٍ الْمُؤْمِينَ عَلِي الْمِ الْمُؤْمِينَ عَلِي أَبِي طَالِبٍ ﴿ اللهِ عَلَيْهُ وَالْمُؤْمِينَ عَلِي الْمُؤْمِنِينَ عَلِي الْمُؤْمِنِينَ عَلِي اللهُ وَمَائِهِمْ وَالْمُؤالِمِهُ، حَتَّى قَاتِلَهُمْ أَمِيرٌ الْمُؤْمِنِينَ عَلِي ابْنُ أَبِي طَالِبٍ ﴿ فَي مَتْهَا فِي ذَلِكَ لِأَمْرِ النَّهِ اللهِ عَلَى الْمُؤالِحِهُ، حَتَّى قَاتِلُهُمْ أَمْنُ الْمُحَاجِ فِي صَحِيْحِهِ، وَرَوَى الْبُحَارِيُ قِطْمَةُ مِنها. وَمَلْهِ فَذَ رَوَاهَا صَاحِبُهُ مُسْلِمُ اللهُ الْمُحَاجِ فِي صَحِيْحِهِ، وَرَوَى الْبُحَارِيُ قِطْمَةُ مِنها. وَالْمُقَاتِ الطَّافِقَةُ الْبَاغِيةُ الْمَاغِيةُ الْمَعْدِي عَلَى الْمُؤْمِنِي عَلَى الْمُؤْمِنِي اللهُ عَلَى اللهُ عَلَى اللهُ عَلَى اللهُ عَلَى اللهُ اللهِ اللهُ عَلَى عَلَى اللهُ اللهُ اللهُ اللهُ اللهُ عَلَى اللهُ عَلَى اللهُ عَلَى الْعَلَى اللهُ عَلَى اللهُ عَلَى الْحَلَى اللهُ عَلَى الْمُ عَلَى الْحَلَى اللهُ عَلَى اللهُ عَلَى اللهُ عَلَى الْمُعَلَى اللهُ عَلَى اللهُ عَلَى الْمُعَلِى الْمُعَلِى الْمُعَلِى الْمُعَلِيمُ اللهُ اللهُ عَلَى اللهُ عَلَى اللهُ عَلَى اللهُ ا

The two innovations [declaring the Muslims disbelievers and considering their property lawful] appeared when 'Uthmān & was killed during the turmoil, and during the caliphate of the Commander of the Faithful, 'Alī b. Abī Tālib &. The Kharijites appeared by splitting off from the community and declaring their blood and wealth lawful, until the Commander of the Faithful, 'Alī b. Abī Tālib & fought against them—following the command of the Prophet & Imam Aḥmad b. Ḥanbal said, 'The hadith about them is authentic from ten different angles [chains of narration]'. These [hadith reports] were narrated by Muslim b. al-Ḥajjāj in his Ṣahīh collection, and al-Bukhārī narrated a portion of them. The Companions were in unanimous agreement that the Kharijites were to be fought; to the point that Ibn 'Umar . . . said on

I Ibn Taymiyya, al-Nubuwwāt, p. 222.

٠,

his deathbed. 'I regret nothing save that I did not fight with 'Alī against the rebellious faction'. By that he meant the Kharijites. . . . [Hle only meant the ones who 'passed through' [māriga], about whom the Prophet & said, 'A group will pass through [tamrua] during a time in which people are disunited; the closest of the two groups to the truth will fight against them'. This is what Abū Sa'īd narrated. Hence, when the statement of the Prophet & regarding the Kharijites reached Ibn 'Umar, he felt regret that he did not fight against them."

From all of this we can gather that people generally mistake the Kharijites for righteous people due to their outward appearance and ostensible religiosity; however, they reveal their true colours when they take up arms and murder harmless people. The Kharijites are not identified by the name 'Kharijite' written on their foreheads: they are identified as Kharijites by their barbaric actions.

17.1 CONDEMNATION OF THOSE WHO SUPPORT THE KHARIJITE TERRORISTS

There are some people who have a soft spot in their hearts for the Kharijite terrorists. They do not consider them evil, and might even offer them physical, financial or moral support. Those who support the Kharijites are called Oa'diyya [literally, 'the sitters']. Ibn Hajar al-'Asgalānī said,

'The Qa'diyya are a folk from the Kharijites who held the beliefs of the latter but would only justify rebellion, without actually participating in it'.2

Elsewhere he wrote.

Ibid., pp. 222-223.

² Ibn Haiar al-'Asgalānī, Fath al-Bārī, 1:432.

وَقَاتِلُوهُمْ، فَإِنْ أَطْلَقُوا تَكُفِيْرَهُمْ فَهُمُ الْفَلَاةُ مِنهُمْ وَالْقَغْدِيَّةُ الَّذِيْنَ يُزَيَّنُونَ الْخُرُوجَ عَلَى الْأَيْمَةِ وَلَا يُهَاشِرُونَ ذَلِكَ.

'The Kharijites are those who censured 'Alī & because of the act of arbitration, and disavowed themselves from him and 'Uthmān & and his family and fought against them. If their charge of disbelief is general [to everyone except them], they are considered of the extreme [Kharijites]. The Qa'diyya justify rebelling against the Muslim governments but do not participate in it directly'.

In Tahdhīb al-tahdhīb, he said,

"الْقَعْدُ" اَلْحَوَارِجُ كَانُوا لَا يَرَوْنَ بِالْحَرْبِ، بَلْ يُنْكِرُونَ عَلَى أَمْرَاءِ الْجَوْرِ حَسَبَ الطَّاقَةِ، وَتَدْعُونَ إِلَى رَأْبِهِمْ، وَتُرَبُّنُونَ مَعَ ذَلِكَ الْحُرُوجَ، وَيُحْسِنُونَهُ.

'The Qa'diyya are Kharijites who do not believe in waging war; rather, they censure the unjust rulers according to their ability, invite others to their belief, and in addition to that, they beautify and justify rebellion [through religious garbs]'.2

In general, the Qa'diyya do not openly express their views. They work behind the scenes and support those who rebel. They sow the seeds of dissension, disruption and strife in the hearts of people, which is especially dangerous when conducted by one who is eloquent and who mixes his speech with references to the Sunna.

17.2 AN IMPORTANT JURISTIC ISSUE: LABELLING THE TERRORISTS AS KHARIJITES IS BASED ON THE QUR'AN AND SUNNA, NOT INDEPENDENT REASONING [IJTIHAD]

Our judgement that the terrorists of today are Kharijites is not based on independent reasoning; rather, it is based on the Qur'ān

¹ Ibid., 1:459.

² Ibn Hajar al-'Asqalānī, Tahdhīb al-tahdhīb, 8:114.

and the Sunna. The Kharijites are not merely the sect of old that rebelled against our master, 'Alī &. Certainly, they were their vanguard, but, as we have mentioned, the tribulation of the Kharijites has emerged time and time again, and will continue to emerge until the appearance of the Anti-Christ.

According to Sharīk b. Shihāb &, the Messenger of God & said about the Kharijites,

'They shall continue to appear until the last of them appears with the Anti-Christ [al-Dajjāl]; so you should kill them when you encounter them [in the battlefield]. They are the most evil of the creation'.

Similarly, Imam Aḥmad b. Ḥanbal and Imam Ibn Abī Shayba narrated,

'They will not cease to emerge, until the last group of them emerges [with the Anti-Christ]; so you should kill them when you encounter them [in the battlefield]. They are the most evil of creation'. He repeated these words three times.²

And Imam al-Ḥākim narrated a hadith report with these words, لَا يَوَالُوْنَ يَخْرِجُوْنَ حَتَّى يَخْرُجَ آجِرُهُمْ، فَإِذَا رَأَيْتُمُوْهُمْ فَافْتِنَانُوهُمْ. فَالْهَا حَمَّادٌ لَلَالًا.

¹ Narrated by al-Nasā'ī in al-Sunan: Kitāb tahrīm al-dam [The Book on the Prohibition of Bloodshed], chapter: 'Regarding the One Who Unsheathes His Sword and Wields it amongst People'. 7:119 \$4103; al-Nasā'ī in al-Sunan al-kubrā, 2:312 \$3566; al-Bazzār in al-Musnad, 9:294 \$3846; and al-Tayālisī in al-Musnad, 1:124 \$923.

² Narrated by Aḥmad b. Ḥanbal in al-Musnad, 4:421 \$19798; Ibn Abī Shayba in al-Musannaf, 7:559 \$37917; and al-Ruyānī in al-Musnad, 2:26 \$766.

هُمْ شَرُّ الْحَلْقِ وَالْحَلِيْقَةِ. قَالَهَا حَمَّادٌ لَلَالًا. وَقَالَ: قَالَ أَيْضًا: لَا يَرْجِعُونَ فِيه

'They will not cease to emerge, until the last group of them comes forth [with the Anti-Christ]; so you should kill them when you encounter them [in the battlefield]. [According to Ḥammād, a reporter of the tradition:] "The Messenger of God * repeated these words three times." [Hammād said:] The Messenger of God * added: "They will not turn from their doctrine and ideology".'

In the preceding hadith reports, the Messenger of God has clarified that the rebels will continuously form groups and emerge in Muslim states and societies. The word, la yazalūna yakhrujūna, [they will not cease to emerge] indicate that all these groups will be Kharijites and will continue to appear until their last party rise with the Anti-Christ before the end of time.

17.3 SUMMARY

This detailed discussion highlighting the signs, traits and features of the Kharijites proves beyond a shadow of a doubt that the modern-day terrorists are their contemporary embodiment. It is, therefore, our religious and national duty to expose them who they are and detail the threat they pose to peace and coexistence.

Although they mask themselves with the garb of religion, we should not be fooled, for their mischief and evil show us who they really are. They have no connection with Islam, no matter what religious trappings they take on. They are outside of the fold of Islam and have passed through it just as an arrow passes through a hunted game; their criminal acts cannot be associated with Islam or the Muslims.

Both the early and latter-day Islamic scholars have unanimously agreed that—in the light of the Qur'anic verses and hadith reports—the Kharijite terrorists have nothing to do with Islam. Traditional Islamic teachings hold that such people are rebels

¹ Narrated by al-Ḥākim in *al-Mustadrak*, 2:160 \$2647; and al-Haythamī in *Majma*' *al-Zawā'id*, 6:229.

and that it is the duty of the state to eliminate them. Having said that, a word of caution must be mentioned: the duty of removing the Kharijite cancer from society is the responsibility of the state alone. Vigilantism is not allowed in the Islamic Sacred Law. No individual or private band of citizens is allowed to take up arms against terrorists with the intention of eliminating them and restoring peace in society. Such a venture will inevitably lead to more harm than good and bring about drastic consequences.

The Messenger of God foretold the perpetual emergence and rising of Kharijites in every era in the form of well-organized militant groups to put the Muslims on alert, and so that they might recognize them. The Muslims should not be mistaken by their guised faces and appearances, slogans and high claims on Shariah. Simultaneously, he declared that the state must come into action to eliminate them, in order to save the peaceful community from their terror, bloodshed and plunder. That is the reason why the Companions in joined our master 'Alī to uproot the terrorists, the Kharijites, at state level and founded a tradition for the coming generations.

,		
•		

CHAPTER 18

THE PEACEFUL METHOD OF SOCIAL AND POLITICAL STRUGGLE



18.1 THE PEACEFUL METHOD OF STRUGGLE IN THE MUSLIM STATE

In this fatwa we have proven that it is impermissible to rebel against the Muslim state, even if its rulers are corrupt and oppressive. Certain questions naturally arise: What should Muslims do to counter the oppression and cruelty of the rulers? Should the rulers have free reign to do what they like? Should the followers of truth sit back idly as silent spectators? If not, then what are their responsibilities in those circumstances? If Islam disapproves of armed rebellion and, at the same time, condemns silence in the face of oppression, what options are available for the citizens of the Muslim state to bring about change?

18.2 THE QUR'ANIC COMMAND TO ENJOIN THE GOOD AND FORBID THE EVIL

In Islamic terminology, the act of promoting good and preventing wrong is called 'enjoining the good and forbidding the evil' [al-amr bi al-ma'rūf wa al-nahī 'an al-munkar]. This religiously mandated act is to be applied at the individual and governmental levels.

In the Qur'ān, God has commanded the believers to enjoin the good and forbid the evil. The importance of this command is reflected in the verse of the Qur'ān where it is listed amongst the qualities of 'the balanced *Umma*':

'You are the best nation raised up for mankind; you enjoin the good and forbid the evil'.1

Elsewhere, God says,

Qur'an 3:110.

'And the believing men and women are allies to one another; they enjoin the good and forbid the evil'. 1

Although this responsibility falls on individuals in an Islamic society, we must bear in mind that isolated, individual efforts to change wrongs committed by the government are often without much effect. Efforts to bring change and reform in society should ideally be collective, which is why organized grassroot movements are justified in Islamic law.

18.3 THE COLLECTIVE EFFORT TO ENJOIN THE GOOD AND FORBID THE EVIL

The effort to enjoin the good and forbid the evil is both an individual and collective endeavour. God says in the Qur'ān,

'And let their arise amongst you a group that invites to good and enjoins what is right and forbids what is wrong. And it is they who are the successful'.2

This verse informs us that enjoining the good and forbidding the evil on the collective level contributes to its effectiveness, productivity and benefit. This is in fulfilment of the Qur'ānic command:

'And help one another with piety and righteousness, and do not help one another with sin and transgression'.3

I Ibid., 9:71.

² Ibid., 3:104.

³ Ibid., 5:2.

18.4 HADITH REPORTS CONCERNING THE ACT OF ENJOINING THE GOOD AND FORBIDDING THE EVIL

The prophetic traditions speak of the importance of enjoining the good and forbidding the evil, and the dire consequences of neglecting them. Hudhayfa & reported that the Messenger of God said,

'The tribulations a man faces with regard to his family, wealth and neighbours are explated by prayer, charity and the act of enjoining the good and forbidding the evil'.'

Ḥudhayfa & also reported that the Prophet & said,

'By the One in whose Hand rests my soul, you must surely enjoin the good and forbid the evil, otherwise it is expected that God will send against you a punishment from Him, and then you will supplicate Him but will not be answered'.²

'Abd al-Raḥmān b. al-'Alā' al-Ḥaḍramī 🔏 said, 'Someone informed me that he heard the Messenger of God 🏔 say,

Narrated by al-Bukhārī in al-Ṣaḥīḥ: Kitāb al-manāqib [The Book of Exemplary Virtues], chapter: 'The Signs of Prophethood in Islam', 3:1314 \$3393; and Muslim in al-Ṣaḥīḥ: Kitāb al-fitan wa ashrāṭ al-sā'a [The Book of Tribulations and the Portents of the Final Hour], chapter: 'Regarding the Tribulations That Will Descend Like a Crashing Wave', 4:2218 \$2889.

² Narrated by al-Tirmidhī in al-Sunan: Kitāb al-fitan [The Book of Tribulations], chapter: 'What Has Come to Us Concerning the Act of Enjoining the Good and Forbidding the Evil', 4:468 \$2169; Ibn Mājah in al-Sunan: Kitāb al-fitan [The Book of Tribulation], chapter: 'Enjoining the Good and Forbidding the Evil', 2:1327 \$4004; and Ahmad b. Hanbal in al-Musnad, 5:391 \$23375.

إِنَّ مِنْ أُمَّتِي قَوْمًا يُعْطَوْنَ مِثْلَ أَجُورٍ أَوْلِهِمْ، فَيَنْكِرُونَ الْمُنْكَرَ.

"Indeed, from my *Umma* there are a folk who shall receive rewards equivalent to the rewards of the early ones [my Companions]—they forbid the evil".'

Abū Hurayra ﴿ reported that the Messenger of God ﴿ said, لَتَأْمُونُ بِالْمَغْرُوفِ وَلَتَنْهُونٌ عَنِ الْمُنْكَرِ، أَوْ لَيُسَلِّطَنَّ اللهُ عَلَيْكُمْ شِرَارَكُمَ، ثُمَّ يَدْعُو خِيَارُكُمْ فَلَا يُسْتَجَابُ لَكُمْ.

'You must surely enjoin the good and forbid the evil, otherwise God will cause the evil ones in your midst to gain authority over you, and then the best of you will supplicate but you will not be answered'.²

Anas b. Mālik 🔏 said,

قُلْنَا: يَا رَسُولَ اللهِ، لَا نَأْمُرُ بِالْمَغْرُوفِ حَتَّى نَعْمَلَ بِهِ، وَلَا نَنْهَى عَنِ الْمُنْكُو حَتَّى نَعْمَلَ بِهِ، وَلَا نَنْهَى عَنِ الْمُنْكُو حَتَّى نَعْمَلُوا بِهِ كُلَّهِ، وَانْهُوْا عَرْفَهُوْا فِهِ كُلَّهِ، وَانْهُوْا عَنْ الْمُنْكُرِ وَإِنْ لَمْ تَحْمَلُوا بِهِ كُلَّهِ، وَانْهُوْا عَلَيْهُ لَا لَهُ عَلَيْهِ اللَّهِ عَلَيْهِ اللَّهِ اللَّهِ عَلَيْهِ عَنْ اللَّهِ اللَّهِ اللَّهِ اللَّهِ اللَّهِ اللَّهِ عَلَيْهِ اللَّهِ

'We said, "O Messenger of God! We shall abstain from enjoining the good until we act on it ourselves, and we shall abstain from forbidding the evil until we also turn away from it". He replied, "No. Rather, you should enjoin the good, even if you do not act upon it entirely, and you should forbid the evil, even if you do not turn away from it entirely".'3

The aforementioned traditions inform us of the significance and importance of enjoining the good and forbidding the evil. This

¹ Narrated by Ahmad b. Hanbal in *al-Musnad*, 4:62 \$16643; and 5:375 \$23299; and al-Haythami in *Majma* 'al-zawā'id, 7:261, 271.

² Narrated by al-Țabarānī in al-Mu^cjam al-ausat, 2:99 \$1379; Ibn Abī Shayba in al-Muşannaf, 7:460 \$37221; al-Bazzār in al-Musnad, 1:292-293 \$188; and Abū Ya^clā in al-Musnad, 8:313 \$6916.

³ Narrated by al-Tabarānī in al-Mu'jam al-awsat, 6:365 \$6628; al-Bayhaqī in Shu'ab al-Imān, 6:89 \$7570; and al-Haythamī in Majma' al-zawā'id, 7:277.

praiseworthy act expiates sins, removes tribulations from our lives and serves as a shield against Divine wrath. If we take account of ourselves and our current predicament, we will see that we are suffering the consequences of our neglect of this righteous act. Our prayers go unanswered, natural disasters and calamities are increasing and lawlessness, murder, corruption and unemployment are on the rise. In short, there is not a single tribulation that has not engulfed us.

18.5 THE THREE LEVELS OF FORBIDDING THE EVIL

The Prophet A has described to us three levels in the act of forbidding evil. Abū Sa'īd & reported that the Prophet said,

'Whoever amongst you witnesses an evil, let him reform it [practically] with his hand; if he is unable, then [let him denounce it] verbally; and if he is unable, then [let him abhor it] in his heart—and that is the weakest form of faith'.

This hadith delineates three methods of condemning evil: through the hand, the tongue and the heart. This means that one should take practical steps to remove evil, speak out about it and detest it in his or her heart. Each of these three ways is a peaceful means of change. To forbid evil with one's hands is to struggle against it

¹ Narrated by Muslim in al-Ṣaḥīḥ: Kutāb al-Imān [The Book of Faith], chapter: 'The Act of Forbidding Evil is a Part of Faith', 1:69 §49; al-Tirmidhī in al-Sunan: Kitāb al-fitan [The Book of Tribulation], chapter: 'What Has Come to Us Concerning the Interpretation of Forbidding Evil with the Hand, Tongue and Heart', 4:469 §2172; Abū Dāwūd in al-Sunan: Kitāb al-malāḥim [The Book of Tumultuous Battles], chapter: 'On Commanding and Forbidding', 4:123 §4340; al-Nasā'i in al-Sunan: Kitāb al-Imān wa al-sharā'i uhu [The Book of Faith and its Revealed Laws], chapter: 'The Varying Ranks of the Faithful', 8:111 §5008; Ibn Mājah in al-Sunan: Kitāb iqāmat al-ṣalāt wa al-Sunan fīhā [The Book of Establishing the Prayer and the Sunna Therein], chapter: 'What Has Come to Us Concerning the Ritual prayer of Two Eids', 1:406 §1275.

in the physical realm; but it must be free of violence because good cannot be forced on others through oppression, as God says,

'There is no compulsion in religion'.1

The command to physically forbid evil is communally obligatory upon those who are able; otherwise, the believers are ordered to denounce it verbally, and if that is not possible, they must at least detest it in their hearts. What is encompassed in the definition of evil? Here, people have restricted its usage to a more literal and limited sense. The fact remains that evil also includes domestic violence against women and deprivation of their rights, as well as every form of corruption, disruption, violence, violation of human rights, nepotism, and promotion of what is forbidden in the Islamic Sacred Law.

18.6 THE MEANING OF FORBIDDING EVIL PHYSICALLY

Imagine a society in which evil is widespread and the command to forbid it by hand is interpreted as the use of physical force. Every individual and group would have their own conception of good and begin imposing it on others. Such a situation would create unrest, lawlessness and violence. Furthermore, if 'forbidding the evil' is carried out by means of firearms and explosives, civil war will occur and more evil will spread.

How can the Islamic faith, which does not permit Muslims to take up arms and revolt against corrupt rulers for the sake of social justice and peace, allow the use of violence to prevent evil? Hence, for the common citizen, forbidding the evil is done through practical, non-violent means according to his or her ability.

If preventing evil means eradicating it by using physical force, then it becomes the responsibility of the government to undertake its execution. The government is the only entity vested with the authority to use force in the removal of evil—this, in fact, is what justifies its existence in the first place. God says,

¹ Qur'an 2:256.

﴿الَّذِينَ إِن مُكَنَّهُمْ فِي الْأَرْضِ أَقَامُواْ الصَّلَوٰةَ وَءَائُواْ الزُّكُوٰةَ وَأَمْرُواْ بِالْمَعْرُوفِ وَتَهَوَاْ عَن الْمُنكَرُ وَلِلّٰهِ عَلَيْهَ الْأَمُورِ﴾

'[The believers are those] who, if We establish their rule in the earth, establish the prayer, pay the Zakat, enjoin the good and forbid the evil. And to God belongs the final results of all things'.

18.7 POLITICAL AND DEMOCRATIC STRUGGLE AGAINST INJUSTICE AND OPPRESSION

Islam seeks to establish societies based on justice and equity: societies in which no one encroaches on the rights of others or seeks to wield his or her strength, authority, wealth or status unjustly. It is the responsibility of a Muslim to raise his or her voice and speak out against the oppression and excesses of individuals or governments. God has enjoined the believers to expose the cruelty of oppressors:

'God does not like the public mention of evil except by the one who has been wronged. And God is All-Hearing, All-Knowing'.

As Muslims, we are urged to voice our protest against oppression and injustice. In fact, declaring a word of justice in the presence of an oppressive ruler is considered the highest form of jihad. Abū Sa'īd al-Khudrī & reported that the Messenger of God & said,

إِنَّ مِنْ أَعْظَمِ الْجِهَادِ كَلِمَةَ عَدْلِ عِنْدَ سُلْطَانِ جَائِر.

'Indeed, from the greatest forms of jihad is a just word spoken before a tyrannical ruler'.³

¹ Ibid., 22:41.

² Ibid., 4:148.

³ Narrated by al-Tirmidhī in al-Sunan: Kitāb al-fitan [The Book of Tribulations], chapter: 'What Has Come to Us Concerning the Fact That the Best Jihad is a

In a narration from Abū Dāwūd, the word 'tyrannical emir' is used in place of 'tyrannical ruler'. The Prophet April forbade the believers from concealing the truth out of fear. Abū Sa'īd al-Khudrī April reported that the Messenger of God April said,

'Let not any man shrink from saying the truth out of fear of people if he knows it'.2

The Prophet state also warned people from abandoning the duty of forbidding the evil when they are capable,

'There is no nation in which acts of disobedience are committed but they do not stop them, even though they are able, save that it is expected that God will cover them all with a punishment'.³

said, الله ينطق الله reported that the Messenger of God هُ said, إِنَّ الله ينطق لا يُمَدِّبُ الْمَائَةُ بِعَمَلِ الْحَاصَّةِ حَتَّى يَرَوُا الْمُنْكَرَ يَيْنَ طَهْرَانَيْهِمْ، وَهُمْ وَاللهُ يَنْكِرُوهُ، فَهَا الْخَاصَّةِ حَتَّى يَرَوُا الْمُنْكَرَ يَيْنَ طَهْرَانَيْهِمْ، وَهُمْ فَادِينَ عَلَى أَنْ يُنْكِرُوهُ فَلَا يُشْكِرُوهُ. فَإِذَا فَعَلُوا ذَلِكَ عَلْبَ اللهُ الْخَاصَةُ وَالْعَامَةُ.

Just Word before a Tyrannical Ruler', 4:471 \$2174.

¹ Narrated by Abū Dāwūd in al-Sunan: Kutāb al-malāḥim [The Book of Tumultuous Battles], chapter: 'Enjoining the Good and Forbidding the Evil', 4:124 \$4344.

² Narrated by al-Tirmidhī in al-Sunan: Kitāb al-fitan [The Book of Tribulations], chapter: 'What Has Been Reported Regarding the Prophet An Informing His Companions of All That Would Occur until the Day of Resurrection', 4:483 §2191; Ibn Majah in al-Sunan: Kitāb al-fitan [The Book of Tribulation], chapter: 'Enjoining the Good and Forbidding the Evil', 2:1328 §4007; and Ahmad b. Hanbal in al-Musnad, 3:5 §11030.

³ Narrated by Abū Dāwūd in al-Sunan: Kitāb al-malāhīm [The Book of Tumultuous Battles], chapter: 'Enjoining the Good and Forbidding the Evil', 4:122 \$4338; Ibn Mājah in al-Sunan: Kitāb al-fitan [The Book of Tribulation], chapter: 'Enjoining the Good and Forbidding the Evil', 2:1329 \$4009; and Aḥmad b. Ḥanbal in al-Musnad, 4:364 \$19250.

'Indeed, God does not punish all for the actions of the few until the former witness evil in their midst and fail to stop it even though they are able. When that occurs, God shall punish them collectively: the few and the many'.'

Abū Bakr al-Şiddīq 🙈 said,

يَا أَيْهَا النَّاسُ، إِلَّكُمْ تَقْرَءُونَ هَذِهِ الآيَةَ: ﴿ يَآأَيُهَا الَّذِينَ ءَامَنُواْ عَلَيْكُمْ أَلْفَسَكُمْ لَا
يَعْتُرُكُم مَن صَالٌ إِذَا ٱلْهَتَدَيْتُمْ ﴾ وإنَّا سَمِعْنَا رَسُولَ اللهِ هِيْ يَقُولُ: إِنَّ النَّاسَ إِذَا رَأُوا الْمُنْكَرَ فَلَمْ يُنْكِرُوهُ أَوْشَكَ أَنْ يَمُثَهُمُ اللهِ بِهَابِهِ.

'O people! Surely, you all read the verse, "O you who believe! Take care of your own selves. If you are guided, then no one who is astray can harm you" [Qur'an 5:105]. Indeed, we heard the Messenger of God say, "It is to be expected that if a people witness evil but do not censure it, God will cover them all with His punishment".'2

Jarīr 🔏 reported that the Messenger of God 🐞 said,

مَا مِنْ رَجُلٍ يَكُونُ فِي قَوْمٍ يُعْمَلُ فِيْهِمْ بِالْمَعَاصِي، يَقْدِرُونَ عَلَى أَنْ يُعَيِّرُوا عَلَيْه، فَلَا يُعَيِّرُوا إِلَّا أَصَابَهُمُ اللهُ بَعَدَابِ مِنْ قَبْلِ أَنْ يُعُونُوا.

'There are no people in the midst of whom a man does acts of disobedience, and they have the ability to stop him, but do not, except that God will afflict them with a punishment before they die'.

^T Narrated by Ahmad b. Hanbal in al-Musnad, 4:192; Mālik in al-Muwattā: Kitāb al-kalām [The Book of Speech], chapter: 'What Has Come to Us Concerning the Punishment of All for the Acts of the Few', 2:991 \$1799; and al-Tabarānī in al-Mu'jam al-kabīt, 17:139.

² Narrated by Ahmad b. Hanbal in al-Musnad, 1:2 §1.

³ Narrated by Abū Dāwūd in al-Sunan: Kıtāb al-malāḥim [The Book of Tumultuous Battles], chapter: 'Enjoining the Good and Forbidding the Evil', 4:122 \$4339; Ibn Mājah in al-Sunan: Kitāb al-fitan [The Book of Tribulation], chapter: 'Enjoining the Good and Forbidding the Evil', 2:1329 \$4009; and Aḥmad b. Ḥanbal in al-Musnad, 4:364; Ibn Ḥibbān in al-Ṣahīḥ, 1:536 \$300; and al-Ṭabarānī in al-Mu'jam al-kabīr, 2:332 \$2382.

Abū 'Ubayda الله reported that the Messenger of God الله said, إِنَّ بَنِي إِسْرَائِيْلَ لَمُّا وَقَعَ فِيْهِمُ الثَّقْصُ كَانَ الرَّجُلُ يَرَى أَخَاهُ عَلَى اللَّذْبِ فَيَنهَاهُ عَنْهُ. فَإِذَا كَانَ الْفَدُ لَمْ يَمْنَعُهُ مَا رَأَى مِنْهُ أَنْ يَكُونَ أَكِيلَهُ وَشَرِيتُهُ وَخَلِيْطَهُ. فَصَرَبُ اللهُ قُلُوبَ بَغضِهِمْ بِيعْضِ، وَنَزَلَ فِيْهِمُ القُرْآنُ. فَقَالَ: ﴿ لَمِنَ اللّٰهِينَ كَفَرُواْ مِن بَنِي اللهِ قُلُوبَ بَغضِهِمْ بِيعْضِ، وَنَزَلَ فِيْهِمُ القُرْآنُ. فَقَالَ: ﴿ لَكِنَ اللّٰهِينَ كَفَرُواْ مِن بَنِي إِسْرَاءِيلَ عَلَىٰ لِسَانِ دَاوْدَ وَعِيسَى آنِنِ مَرْيَمَ ذَالِكَ بِمَا عَصَوا وَكَالُواْ يَعْتَدُونَ ﴾. فَقَرَأَ عَلَى اللهِ مُتْكِنّا، فَجَلَسَ، فَقَالَ: لا، حَتَّى تَأْخُذُوا عَلَى الْحَقِّ أَطْرًا.

'When shortcomings befell the Children of Israel, a man would witness his brother committing a sin and forbid him from it, but the sin he saw from him would not prevent him from eating, drinking and mingling with him the next day. As a result, God afflicted them with hatred, and the Our'an revealed about them: "Cursed were those who disbelieved amongst the Children of Israel by the tongue of David and Jesus the son of Mary. That was because they disobeyed and continually transgressed. . . . If only they had believed in God and the Prophet and what was revealed to him, they would not have taken them as protecting friends; but many of them are corrupt".' Abū 'Ubayda added, 'The Messenger of God & was reclining. and then he sat up and said, "No [you cannot escape the same fate] until you hold the hand of the oppressor and prevent him and lead him to the truth!".'1

Al-Nu'man b. Bashīr & reported that the Prophet & said,

¹ Narrated by al-Tirmidhī in al-Sunan: Kitāb tafsīr al-Qur'ān [The Book of Qur'ānic Exegesis], chapter: 'From Sūra al-Mā'ida', 5:252 \$3048; Abū Dāwūd in al-Sunan: Kitāb al-malāhim [The Book of Tumultuous Battles], chapter: 'Enjoining the Good and Forbidding the Evil', 4:121 \$4336; Ibn Mājah in al-Sunan: Kitāb al-fitan [The Book of Tribulation], chapter: 'Enjoining the Good and Forbidding the Evil', 2:1327 \$4006; and al-Tabarānī in al-Mu'jam al-kabīr, 10:146 \$10268, and al-Mu'jam al-awsat, 1:166 \$519.

مَثَلُ الْمُدْهِنِ فِي حُدُودِ اللهِ وَالْوَاقِعِ فِيهَا مَثَلُ قَوْمِ اسْتَهَمُوا سَفِينَةً فَصَارَ بَعْطُهُمْ فِي أَسْفَلِهَا وَصَارَ بَعْطُهُمْ فِي أَسْفَلِهَا وَصَارَ بَعْطُهُمْ فِي أَعْلَاهَا. وَمُونَ بِالْمَاءِ عَلَى الَّذِيْنَ فِي أَشْفَلِهَا يَمُرُونَ بِالْمَاءِ عَلَى الَّذِيْنَ فِي أَضْلَاهَا وَمَالَوْهُ وَقَالُوا: مَا لَک؟ فِي أَضْلَاهَا وَقَالُوا: مَا لَک؟ قَالَ: تَأَذَيْتُمْ بِي وَلَا بُدٌ لِي مِنَ الْمَاءِ. فَإِنْ أَحَدُوا عَلَى يَدَيْهِ أَنْجُوهُ وَنَجُوا أَنْفُسَهُمْ، وَالْ تَرْجُوهُ أَمْلَكُوا أَنْفُسَهُمْ، وَإِنْ أَحَدُوا عَلَى يَدَيْهِ أَنْجُوهُ وَنَجُوا أَنْفُسَهُمْ، وَإِنْ أَحْدُوا عَلَى يَدَيْهِ أَمْلَكُوا وَالْمُسْتَهُمْ،

'The likeness of the one who is lax in applying the prescribed limits of God and the one who transgresses against them is like that of a people who cast lots in boarding a ship. A group of them go to the lower deck and some of them stay on the upper deck. When those in the lower deck want water, one of them goes to the occupants of the upper deck until they are annoyed by him. He then starts to punch a hole in the lower deck [for water], and those of the upper deck go to him and ask, "What is wrong with you?" He replies, "I was annoying you, but I must have water!" If they take him by his hand and stop him they will save him and themselves, but if they leave him they will destroy him and themselves'."

Since exposing the injustice and oppression of the rulers is an important responsibility on the Muslims, and since it must be peaceful and democratic, there are a number of ways in which it may be done in contemporary times:

- Using one's freedom of expression and denouncing oppression
- Speaking out against evil through books, literature and other forms of media
- Protesting against violations of human rights through peaceful demonstrations and rallies

¹ Narrated 'by al-Bukhārī in al-Ṣahīḥ: Kītāb al-shahādāt [The Book of Testimonies], chapter: 'On the Drawing of Lots for Resolving Problems', 2:954 §2540; al-Tirmidhī in al-Sunan: Kītāb al-fitan [The Book of Tribulations], chapter: 'What Has Come to Us Concerning the Act of Changing Wrongs with the Hand, Tongue or Heart', 4:470 §2173; Aḥmad b. Ḥanbal in al-Musnad, 4:270; and al-Bazzār in al-Musnad, 8:238 §3298.

- Organizing conferences and workshops that highlight political injustice
- Awakening the collective consciousness through speeches, writings and public consensus building
- Struggling at the political level to bring change to the government through constitutional and democratic means sometimes these efforts become obligatory at the individual and organizational levels, and any failure to meet the challenge becomes an invitation to God's wrath
- Raising one's voice at the floor of parliament, calling for the rule
 of law and the granting of basic necessities and demanding the
 protection of human rights and the eradication of oppression
 and violence

18.8 Muslims Living in Non-Muslim Countries

Muslims who live in non-Muslim countries—whether as refugees, natural born citizens, permanent residents or students living there temporarily—are all duty-bound to obey the laws of the land (as long as the laws do not entail disobedience to God) and contribute positively to society at large. It is forbidden to violate the law, foment sedition or otherwise harm peaceful citizens.

We have the best example in the lives of the Prophet's Companions, who, at the Prophet's order , immigrated to Christian Abyssinia (present-day Ethiopia) and enjoyed the support of its ruler, the Negus. God revealed in the Qur'an,

'And to those who migrated from their homes in the cause of God, after suffering oppression, We shall surely give a goodly home in this world; but the reward of the Hereafter will be even greater.'

¹ Qur'ān 16:41.

Mecca wronged them and expelled them, until a group of them reached Abyssinia, then God Most High granted them an abode of migration and gave them helpers amongst the believers".'

In another verse related to the Companions' immigration to Abyssinia, God said,

'O My servants who have believed! Indeed, My earth is vast so worship Me'.2

Ibn Kathīr commented:

This is a command from God Most High to His believing servants that they emigrate from the land in which they are unable to practise the religion to God's spacious earth, so they will be able to exercise the religion freely . . . so when the disenfranchised in Mecca found their stay there difficult, then immigrated to the land of Abyssinia so they could practise their religion in safety. And so, they found a most gracious host, the Negus, King of Ethiopia, may God Most High have mercy upon him.³

Umm Salama & said,

'When we arrived in Abyssinia, we were in the company of the best neighbour—the Negus! He granted us protection, allowing us to practise our religion, and we worshipped God Most High unharmed'.4

In a narration in Ibn Ishāq's biography of the Prophet 🏔, it is mentioned that Abyssinia was chosen as a place of immigration because it was a land of truthfulness, and its King oppressed

¹ Muhammad al-Qurtubī, al-Jāmi' lı ahkām al-Qur'ān, 10:107.

² Qur'ān 29:56.

³ Ibn Kathīr, Tafsır al-Qur'an al-Azīm, 2:571.

⁴ Ibn Hishām, al-Sīra, 1:413.

no one. Ibn Hishām reported with a fully connected chain of narration from Zuhrī that Umm Salama & said,

By God! We were upon that [peace and security] until a person from the Ethiopians challenged his kingdom. By God! I don't think we were ever as saddened as we were that day, fearing that this person might defeat the Negus and come to power, not acknowledging our rights as the Negus did. The Negus went out to meet him in battle whilst between them was the Nile. The Companions of the Messenger of God & said, 'Which man amongst us is willing to go out to witness the battle and then tell us the news?' Al-Zubayr b. al-'Awam said, 'I will', whereupon they said, 'Then it is you', and he was the youngest of them. They blew into a waterskin for him and he placed it on his chest. He then swam on it towards the place off of the Nile where the battle was taking place until he reached it. We then prayed to God Most High for the Negus, that he achieve victory over his enemy and gain authority in his land. By God! As we were expecting the outcome, suddenly, al-Zubayr raced towards us with [water] glistening off of his garments, saying, 'Shall I not give you all the good news? The Negus was victorious and God destroyed his enemy and gave him authority in his land!' By God! I don't think we were ever as delighted as we were on that day.2

This amazing narration teaches us many important lessons. We learn that Islam does not teach us a binary, black-or-white view of things, where others are either completely 'good' and 'Islamic' or completely 'bath' and 'un-Islamic'. At the time of the Companions' immigration to Abyssinia, the Negus was not a Muslim, yet the Companions had no problems describing him positively. We also learn the importance of living in an environment of peace and security for the proper practice of our religion—even if

¹ Ibid., 1:397.

² Ibid., 1:376.

that environment is not one hundred per cent 'Islamic' in every wav. Most importantly, we learn from this story that it is from the etiquette of Islam to pray for the well-being and continued temporal authority of just rulers, whether they are Muslims or non-Muslims. In the contemporary context, this can include voting for a non-Muslim candidate that stands for justice or is, at least, better amongst others. Praying for the victory of a non-Muslim ruler is no different from voting him or her into office-both are permissible means, contrary to the claims of the Kharijites who claim that voting is polytheism that expels one from the religion.

18.9 CONCLUSION

I ask God Most High to make this fatwa a source of clarity and guidance for all of humanity. I pray that God, through the means of this fatwa, opens the eyes of the confused, establishes the proof against the corrupt and makes it a positive step in eliminating the scourge of terrorism that plagues our lands. And my final prayer is: All praise belongs to God, the Lord of the worlds, and may blessings and salutations be upon our master Muhammad, and upon his family, Companions and all who follow his excellent example until the Last Day. Amen.



APPENDIX

SCHOLARS CITED IN THE FATWA



'ABD AL-HAQQ AL-DIHLAWI

'Abd al-Ḥaqq 'Muḥaddith' al-Dihlawī (d. 1052 AH), of Dehli, India. Al-Dihlawī settled in Mecca and studied hadith traditions and jurisprudence, and later settled in India, where he taught for over half a century and wrote over one hundred works.

'Abd al-Raḥmān al-Jazīrī

'Abd al-Raḥmān b. Muhammad 'Awad al-Jazīrī (d. 1941), born on the Egyptian island of Shandawīl in 1882 and educated at al-Azhar. He is the author of a contemporary and encyclopaedic work in comparative jurisprudence.

'ABD AL-RAHMAN MUBARAKPŪRĪ

'Abd al-Raḥmān b. Hāfiz 'Abd al-Raḥīm Mubārakpūrī, the famous Abl al-Hadīth scholar of India (d. 1353 AH). He is the author of a commentary on the Sunan collection of Imam al-Tirmidhī, Tuhfat al-ahwadhī.

IBN HAJAR AL-'ASOALANI

Shihāb al-Dīn Abū al-Fadl Aḥmad b. Ḥajar al-ʿAsqalānī (d. 852 AH), known as 'al-Ḥāfiz' [the Hadith Master]. Ibn Ḥajar is a Shāfiʿī jūrist, hadith scholar and author of the most famous and relied upon commentary of Ṣaḥīḥ al-Bukhārī, Fatḥ al-Bārī. He was given the title 'the Leader of the Faithful in Hadith'.

Abū Bakr al-Şiddīq 🙈

Abū Bakr b. Abī Quḥāfa al-Taymī, better known as Abū Bakr al-Ṣiddīq [the Veracious] (d. 13 AH). A small trader of Mecca and the Prophet's closest Companion, he accompanied the Prophet during his migration to Medina, and after his passing became the first of the four Rightly Guided Caliphs.

ART BAKR IRN AL- ARABI

Abū Bakr Ibn al-'Arabī (d. 543 AH), a Spanish scholar of hadith and Mālikī jurisprudence. Ibn al-'Arabī wrote an acclaimed commentary on the *Sunan* collection of Imam al-Tirmidhī.

ABŪ DĀWŪD AL-SIJISTĀNĪ

Sulaymān b. al-Ash'ab b. Isḥāq (d. 275 AH), the Shāfi'ī scholar and hadith master. He is the compiler of al-Sunan, one of the famous canonical hadith collections, better known as Sunan Abī Dāwūd.

ABŪ HĀMID AL-GHAZĀLĪ

Abū Ḥāmid al-Ghazālī al-Ṭūsī (d. 505 AH), the famous Persian polymath, and author of the highly acclaimed magnum opus, The Revival of the Religious Sciences (Ihyā' 'ulūm al-dīn'). Al-Ghazālī was considered an authority in Shāfi'ī jurisprudence, philosophy, theology and mysticism.

Abu Hanifa

Nu'mān b. Thābit, known by his agnomen 'Abū Hanīfa' (d. 148 AH), was the founder of the Ḥanafī school of jurisprudence. The Ḥanafī school has the largest number of followers in the Muslim world, with its influence stretching from Egypt, Turkey, the Levant, Iraq, Transoxiana and the Indian Subcontinent.

ABU AL-HASAN AL-MAWARDI

Aḥmad b. ʿAlī b. Ḥabīb al-Māwardī (d. 450 AH), a scholar of the Shāfiʿī school who served as a judge in several districts of Iraq. He is best known for his books al-Aḥkām al-sulṭāniyya on Islamic governance, and Ādab al-dunyā wa al-dīn on ethics.

ABU HURAYRA

Abū Hurayra al-Dawsī al-Yamānī (d. 58 AH). One of the most copious and knowledgeable hadith narrators. It is reported that once Abū Hurayra complained to the Prophet A about his

forgetfulness, whereupon the Prophet hp placed his hand on his chest and supplicated, asking God to grant him a powerful memory.

ABŪ ISḤĀQ AL-SHĀŢIBĪ

Ibrāhīm b. Mūsā b. Muhammad al-Shāṭibī (d. 790 AH), the famous Mālikī legal theorist. He is best known for his groundbreaking work on the 'objectives of the Shariah' (Maqāṣid al-sharī'a), al-Muwāfaqāt.

Abū Jagfar al-Ţaḥāwī

Ahmad b. Muhammad, better known as Abū Ja'far (d. 321 AH). A nephew of the early Shāfi'ī jurist, al-Muzanī, al-Taḥāwī later switched to the Hanafī school and was known for his mastery of hadith. His famous book of creed, *The Creed of Taḥāwī*, represents one of the earliest formulations of Sunni doctrine, and is still studied to this day.

AHMAD B. HANBAL

Aḥmad b. Ḥanbal al-Shaybānī (d. 241 AH), the famous hadith scholar after which the Ḥanbali school of jurisprudence is named. It is said that he committed over three hundred thousand hadith reports to memory, complete with their full chains of narration. The Ḥanbalī school, the smallest of the four Sunni schools of law, is mostly found in the Arabian Peninsula and parts of Syria and Iraq.

AḥMAD AL-QASŢALĀNĪ

Shihāb al-Dīn Aḥmad b. Muhammad al-Qastalānī (d. 923 AH), the Egyptian historian, hadith scholar and jurist. He is the author of a large commentary on Sahīh al-Bukhārī, Irshād al-sārī and a famous book on the biography of the Prophet Muhammad , al-Mawāhib al-laduniyya.

'Ā'ISHA B. ABĪ BAKR 🥦

'A'isha, the daughter of Abū Bakr (d. 58 AH), also know as Bint al-Ṣiddīq (the Daughter of the Veracious). She was the third and most beloved wife of the Prophet . Due to her close relationship with the Prophet Muhammad , she was privy to many of the details regarding his daily habits and sayings, and became one of the most knowledgeable jurists amongst the Companions.

'Alī b. Abī Țālib 🙈

The fourth of the four Rightly Guided Caliphs, 'Alī b. Abī Ṭālib (d. 40 AH) was the cousin and son-in-law of the Prophet , having married his daughter Fāṭima . 'Alī was the model of Muslim chivalry for the *Umma* and was renowned for his bravery, wisdom and clemency. After 'Uthmān b. 'Affān & was assassinated, 'Alī accepted the office of Caliph, which he held for about five years disturbed by rebellions. He was assassinated in Kufa by one of the Kharijites, who charged him with disbelief for having agreed to arbitration and negotiation with Mu'āwiya &.

'ĀLIM B. AL-'ALĀ' AL-ĀNDARĪTĪ

'Alim b. al-'Alā' al-Andarītī (d. 1398 AH), a famous Ḥanafi jurist of Central Asia and author of al-Fatāwā al-tātārkhāniyya, a collection of legal verdicts according to the Ḥanafī school.

BADR AL-DIN AL-'AYNI

Badr al-Dīn al-'Aynī (d. 855 AH), the Turkish Ḥanafī jurist and hadith scholar. Al-'Aynī later settled in Egypt and wrote the acclaimed commentary on Ṣaḥīḥ al-Bukhārī, 'Umdat al-qārī.

IBN 'ĀBIDĪN AL-SHĀMĪ

Sayyid Muhammad Amīn, better known as Ibn 'Ābidīn al-Shamī (d. 1252 AH), the late Ottoman Ḥanafī jurist. Ibn 'Ābidīn is the

author of the most authoritative late work of Hanafi jurisprudence, Radd al-Muhtar.

IBN BAZZĀZ AL-KURDARĪ

Ibn Bazzāz al-Kurdarī (d. 827 AH), the famous Ḥanafī jurist. He was the author of al-Fatāwā al-bazzaziyya, a collection of legal verdicts according to the Ḥanafī school of jurisprudence.

IBN MUFLIH AL-HANBALI

Shams al-Dīn Ibn Muflih (d. 763 AH), an influential Ḥanbalī jurist who studied under Ibn Taymiyya and included his juristic preferences in his book, al-Furū.

IBN QUDĀMA AL-MAQDISĪ

Muwaffaq al-Dīn Ibn Qudāma al-Maqdisī (d. 620 AH), one of the famous Ḥanbalī jurists whose family emigrated from Nablus and settled in Damascus during the crusades. He is the author of the famous book al-Mughnī, a multi-volume commentary on Ḥanbalī jurisprudence.

IBN JARĪR AL-ŢABARĪ

Muhammad b. Jarīr al-Tabarī (d. 310 AH), an early Qur'ānic exegete and historian. He is the author of the famous Jāmi' albayān, a large Qur'ānic exegesis that was heavily relied upon by other subsequent exegetes. He was also an independent scholar and founder of his own, no longer extant, school of jurisprudence.

IBN JUZAYY AL-KALBĪ

Muhammad b. Aḥmad Ibn Juzayy al-Kalbī al-Gharnātī, the esteemed Mālikī jurist, Qur'ānic exegete and master of the canonical readings of the Qur'ān. He is the author of al-Qawānīn al-fiqhiyya, an early work on comparative jurisprudence. He was killed as a martyr in the Battle of Tarīf in the year 741 AH.

IBN TAYMIYYA

Abū al-ʿAbbās Taqī al-Dīn Ibn Taymiyya al-Ḥarrānī (d. 728 AH), the controversial Ḥanbalī jurist and theologian. Ibn Taymiyya wrote a prolific number of works and was recognized for his scholarly output and keen memory.

IMAM AHMAD RIDA KHAN

Aḥmad Ridā Khān (d. 1921), the famous Indian Islamic scholar and reviver. Aḥmad Ridā Khān was an Islamic authority and author of over one thousand books. Millions of Muslims in the Indian Subcontinent affiliate themselves with his scholarly legacy and positions.

Imam al-Bukhārī

Muhammad b. Ismā'īl al-Bukharī (d. 256 AH), an orphan born in the city of Bukhara in present-day Uzbekistan. Al-Bukhārī is the author of al-Jāmi' al-ṣaḥīḥ (The Rigorously Authentic Compendium), better known as Ṣaḥīḥ al-Bukhārī, and considered the most authoritative and famous collection of hadith reports.

IMAM AL-HASKAFI

Muhammad 'Alā al-Dīn al-Ḥaṣkafī (d. 1088 AH), the famous Turkish Ḥanafī scholar and grammarian. He is the author of al-Durr al-Mukhtār in Ḥanafī jurisprudence, which was subsequently explained in detail in the Ibn 'Ābidīn's commentary, Radd al-Muhtār.

IMAM AL-KASANT

Abū Bakr b. Mas'ūd b. Aḥmad al-Kāsānī (d. 587 AH), an illustrious Ḥanafī jurist and student of Imam Abū Bakr al-Samarqandī. It is related that after he mastered his teacher's book of Ḥanafī jurisprudence, al-Tuhfa, and wrote his extensive commentary on it, called Badā'i' al-ṣanā'i', al-Samarqandī was so impressed that he married him to his daughter, stipulating his commentary as the dowry.

IMAM IBN MAJAH

Muhammad b. Yazīd al-Rub'ī al-Qazwīnī (d. 273 AH), the Persian hadith master and Qur'ānic exegete. He is the author of al-Sunan, one of the canonical hadith collections.

IMAM MALIK

Mālik b. Anas al-Aşbaḥī (d. 179 AH), also known as the 'Imam of the Medinites', was the founder of the Mālikī school of jurisprudence. The Mālikī school flourishes in North Africa, sub-Saharan Africa, and parts of the Gulf region, such as the United Arab Emirates.

IMAM AL-MARGHĪNĀNĪ

Burhān al-Dīn al-Marghīnānī (d. 593 AH), known as 'Shaykh al-Islam' of the Hanafis. Al-Marghīnānī was the author of the highly influential jurisprudence manual al-Hidāya.

IMAM MUSLIM

Muslim b. al-Ḥajjāj al-Nīshābūrī (d. 261 AH), the hadith master second only to his mentor, Imam al-Bukhārī, in authority in the hadith sciences. He is the author of the famous hadith collection, Ṣaḥīḥ Muslim, which together with al-Bukhārī's Ṣaḥīḥ al-Bukhārī, form the two most authoritative hadith collections.

IMAM AL-NASA'T

Aḥmad b. 'Alī b. Shu'ayb al-Nasā'ī (d. 303 AH), the Shāfi'ī hadith scholar. He is the author of al-Sunan, one of the canonical hadith collections, and a compilation on the merits of 'Alī b. Abī Ṭālib . He was martyred in Damascus, having been beaten to death by Kharijites for his outspoken love for 'Alī b. Abī Ṭālib.

IMAM AL-NAWAWI

Muḥyī al-Dīn Yaḥyā b. Sharaf al-Nawawī (d. 676 AH), the late Shāfi'ī scholar of Damascus and author of a famous commentary on Ṣaḥīḥ Muslim. His positions on legal matters within the Shāfi'ī

424 | FATWA on Terrorism and Suicide Bombings

school of jurisprudence are considered authoritative, and his other works on hadith are some of the most highly read works in the Muslim world.

TMAM AL-SARAKHST

Muhammad b. Aḥmad al-Sarkhasī (d. 490 AH) known as 'Shams al-A'imma', or the 'Sun of the Imams'. Al-Sarakhsī is the author of al-Mabsūt, a famous commentary on Ḥanafī jurisprudence which spans thirty volumes.

IMAM AL-SHĀFI'Ī

Muhammad b. Idrīs al-Shāfi'ī (d. 204 AH), a scion of the Qurashī line, was the founder of the Shāfi'ī school of jurisprudence. The Shāfi'ī school flourishes in Egypt, Syria, Yemen, East Africa and the Malay Archipelago.

IMAM AL-SHIRBĪNĪ

Muhammad Shirbīnī al-Khaţīb (d. 977 AH), the Shāfi'ī jurist and 'teacher of teachers'. He is the author of Mughnī al-muhtāj, a commentary on al-Nawawī's Mınhāj al-ţālibīn, noted for its clarity and reliability.

IMAM AL-TIRMIDHĪ

Muhammad b. 'Isā al-Tirmidhī (d. 279 AH), the hadith scholar and student of Imam al-Bukhārī. He is the author of al-Sunan, one of the canonical hadith collections, and the famous and celebrated al-Shamā'il al-Nabawiyya, a collection of reports detailing the personal appearance, dress, habits and daily behaviour of the Prophet Muhammad .

MUHAMMAD AL-QURTUBĪ

Abū 'Abd Allāh Muhammad b. Aḥmad b. Abī Bakr al-Qurţubī (d. 671 AH), the famous Qur'anic exegete and hadith scholar of Cordóva. He is the author of al-Jāmi' li ahkām al-Qur'ān, a famous

exegesis that focuses on the jurisprudential points extracted from the Qur'an.

Mullà 'Alī al-Qārī

Abū al-Ḥasan 'Alī al-Qārī al-Makkī (d. 1014 AH), the famous latter-day Ḥanafī scholar who hailed from Herat, Afghanistan, and settled in Mecca. He was the author of several works in Ḥanafī jurisprudence, hadith commentary and biography.

Qāpī 'Iyād

Qāḍī 'Iyāḍ b. Mūsā al-Yaḥṣubī (d. 544 AH), a Mālikī jurist born in Gibraltar. Qāḍī 'Iyāḍ later settled in Grenada and served as a judge (hence the name 'Qāḍī'). He is the author of al-Shifā bi ta'rīf huqūq al-Muṣṭafā (The Healing Through Acquainting One with the Rights of the Chosen One), which is perhaps the most famous book detailing the inner and outer characteristics and rights of the Prophet Muhammad .

SHAH 'ABD AL-'AZIZ AL-DIHLAWI

Ghulām Ḥalīm Shāh 'Abd al-'Azīz 'Muḥaddith' al-Dihlawī (d. 1239 AH), the Indian polymath and son of polymath and reformer, Shāh Walī Allāh al-Dihlawī. Shāh 'Abd al-'Azīz wrote an Urdu translation of the Qur'ān.

SUFYAN AL-THAWRE

Sufyān b. Sa'īd al-Thawrī (d. 161 AH), a well-known scholar and jurist of Kufa. Al-Thawrī was an early jurist whose legal views led to the development of the Thawrī legal school which is no longer extant. He was also known for his asceticism and withdrawal from governmental positions. Following a dispute with the caliph of his time, al-Thawrī spent his final year in hiding. His legal opinions and hadith transmissions have survived in the works of other jurists, and his opinions are authoritative.

426 | FATWA ON TERRORISM AND SUICIDE BOMBINGS

TAQI AL-DIN AL-SUBKI

'Alī b. 'Abd al-Kāfī b. 'Alī b. Tamām (d. 756 AH), the Egyptian Shāfi'ī scholar and hadith specialist. Al-Subkī later became a judge in Damascus and wrote the completion (al-Takmila) of Imam al-Nawawī's uncompleted work in Shāfi'ī jurisprudence, Sharḥ al-muhadhhab.

'Umar b. 'Abd al-'Azīz 🙈

'Umar b. 'Abd al-'Azīz b. Marwān (d. 101 AH), sometimes called 'the fifth Rightly Guided Caliph'. He was known for his piety and asceticism, and strictly upheld the equal rights of converts.

'Umar b. al-Khattāb 🙈

Also known as 'Umar al-Fārūq [the Discerning], 'Umar b. al-Khaṭṭāb (d. 23 AH). Initially one of the staunchest of the Prophet's opponents in Mecca, 'Umar became one of its greatest defenders. As the second of the four Rightly Guided Caliphs, 'Umar instituted numerous policies regarding non-Muslim citizens and administrative duties. He was assassinated by Persians in the Prophet's Mosque.

'UTHMAN B. 'AFFAN &

'Uthmān b. 'Affān b. Abī al-'Ās b. Umayya (d. 35 AH). A wealthy merchant in Mecca by migrating to Medina, 'Uthmān was also known as Dhū al-Nūrayn—the man of the two lights—because he married two of the Prophet's daughters: Ruqayya, and then, after her death, Umm Kulthūm . During the latter years of his caliphate, he was accused of nepotism, which resulted in his murder at the hands of a group of rebels who besieged his house and then stormed it, stabbing him to death as he was reading the Our'ān.

ZAKARIYYĀ AL-ĀNSĀRĪ

Zakariyyā b. Muhammad b. Aḥmad b. Zakariyyā (d. 926 AH), the hadith master, Shāfi'ī jurist and judge of Egypt. He was the author of many indispensible works on legal theory, jurisprudence and Sufism.

ZAYN AL-DĪN B. AL-NUJAYM

Zayn al-Dīn b. al-Nujaym (d. 970 AH), the author of al-Baḥr alrā'iq in Hanafī jurisprudence and called 'the second Abū Ḥanīfa'.



BIBLIOGRAPHY



- 'Abduh, Muhammad. Al-Muslimūn wa al-Islām. (No publisher information given)
- Afrīqī, Ibn Manzūr Jamāl al-Dīn Muhammad b. Mukrim al-, Lisān al-'Arab. Beirut: Dār Sādir, n.d.
- 'Ajlūnī, Ismā'īl b. 'Umar al-. Kashf al-khafā' wa muzīl al-ilbās 'amma ashtahara mın al-ahādīth 'alā alsinat al-nās. Beruit: Mu'assasa al-Risāla, 1985.
- Äjurrī, Abū Bakr Muhammad b. Ḥusayn al-. Al-Sharī a. Riyadh:
 Dār al-Watan, 1999.
- Albānī, Muhammad Nāṣir al-Dīn al-. Silsila al-aḥādīth al-ṣaḥīḥa. Beruit: al-Maktab al-Islāmī, 1985.
- Anṣārī, 'Ālim b. al-'Alā' al-. Al-Fatāwā al-tātārkhāniyya fī al-fiqh al-Hanafī. Beirut: Dar al-Kotob al-Ilmiyah, 2005.
- Anşārī, Zakariyyā b. Muhammad al-. Manhaj al-tullāb. Beirut: Dar al-Kotob al-Ilmiyah, 1418 AH.
- Aşfahānī, Abū Nu'aym al-. Musnad al-Imām Abī Ḥanīfa. Riyadh: Maktaba al-Kawthar, 1415 AH.
- —. Kitāb al-arba'īn 'alā madhhab al-mutahaqqiqīn min al-Sūfiyya. Beruit: Dār Ibn Ḥazm, 1993.
- —... Ḥilyat al-Awliyā' wa ṭabaqāt al-aṣfiyā'. Beirut: Dār al-Kitāb al-ʿArabī, 1985.
- 'Asqalānī, Ibn Ḥajar Aḥmad b. 'Alī al-. Al-Dırāya fī takhrīj aḥādīth al-Hidāya. Beruit: Dār al-Ma'rifa, n.d.
- ----. Hadyī al-sārī muqaddima Fath al-Bārī. Beruit: Dār al-Ma'rifa, n.d.
- ----. Fath al-Bārī sharh Şahīh al-Bukhārī. Beruit: Dār al-Ma'rifa, 1379 AH.
- ---. Tahdhīb al-tahdhīb. Beirut: Dar al-Fikr, 1404 AH.
- ---. Al-Işāba fī tamyīz al-Şaḥāba. Beirut: Dār al-Jīl, 1412 AH.
- 'Aynī, Badr al-Dīn al-. 'Umdat al-qārī sharh Şahīh al-Bukhārī. Beruit: Dār Iḥyā' al-Turāth al-'Arabī, n.d.
- —... Al-Bināya sharh al-Hidāya. Beirut: Dar al-Kotob al-Ilmiyah, n.d.

- Azdī, Ma'mar b. Rāshid al-. *Al-Jāmi*'. Beruit: al-Maktab al-Islāmī, 1403 AH.
- Azharī, Muhammad b. Aḥmad al-. *Tahdhīb al-lugha*. Beirut: Dār Iḥyā' al-Turāth al-'Arabi, 2001.
- Baghawī, Abū Muhammad Ḥusayn b. Mas'ūd b. Muhammad al-Farrā' al-. Ma'ālim al-Tanzīl. Beruit: Dār al-Ma'rifa, 1987.
- Baghdādī, Khatīb al-. Tārīkh Baghdād. Beirut: Dar al-Kotob al-Ilmiyah, n.d.
- Baghdādī, 'Abd al-Qādir al-. Al-Farq bayn al-firaq. Beirut: Dār al-Āfāq al-Jadīda, 1977.
- Bahūtī, Manşūr b. Yūnus al-. Kashhāf al-qinā' 'an matn al-Iqnā'. Beirut: Dar al-Fikr, 1402 AH.
- Balādhurī, Ahmad b. Yahyā al-. Futūh al-buldān. Beirut: Dar al-Kotob al-Ilmiyah, 1985.
- Bayhaqī, Aḥmad b. al-Ḥusayn al-. Al-Sunan al-kubrā. Mecca: Maktaba Dār al-Bāz, 1994.
- Shu'ab al-Imān. Beruit: Dar al-Kotob al-Ilmiyah, 1990.
- Bazzār, Aḥmad b. 'Amr al-. Al-Musnad (al-Baḥr al-zakhār). Beruit: Mu'assasa 'Ulūm al-Qur'ān, 1409 AH.
- Bujayrimī, Sulaymān b. 'Umar b. Muhammad al-. *Ḥāshiyat al-Bujayrimī* 'alā sharḥ minhāj al-ṭullāb. Turkey: al-Maktaba al-Islāmiyya, n.d.
- Bukhārī, Abū 'Abd Allāh Muhammad b. Ismā'īl b. Ibrāhīm b. Mughīra al-. Al-Jāmi' al-sahīh. Beruit: Dār Ibn Kathīr, 1987.
- Al-Tārīkh al-kabīr. Beirut: Dar al-Kotob al-Ilmiyah, 2001.
- ---. Al-Adab al-mufrad.
- Dihlawī, 'Abd al-'Azīz al-. Tuhfat ithnā 'ashriyya. Istanbul: Maktaba al-Haqīqa, 1988.
- Dihlawī, 'Abd al-Ḥaqq al-. Ash'at al-lama'āt sharḥ mishkāt al-maṣābīḥ. Sakhar: Maktaba Nūrīyya Ridawīyya, 1962.
- Dihlawī, Nadhīr Ḥusayn al-. Fatāwā nadhīriyya. Gujranwala: Maktaba al-Maʿārif al-Islāmiyya, 1988.
- Dāraquṭnī, 'Alī b. 'Umar al-. Al-Sunan. Beruit: Dār al-Ma'rifa, 1966.
- Dardīr, Ahmad al-. Al-Sharh al-kabīr, Beirut: Dar al-Fikr, n.d.

- Dārimī, 'Abd Allāh al-. Al-Sunan. Beruit: Dār al-Kitāb al-'Arabī, 1407.
- Dasūqī, Muhammad b. Aḥmad b. 'Arafa al-. Hāshiyat al-Dasūqī 'alā al-sharh al-kabīr. Beirut: Dar al-Fikr, n.d.
- Daylamī, Abū Shujā' Shīrawayh al-. Al-Firdaws bi ma'thūr al-khitāb. Mecca: Dar al-Kotob al-Ilmiyah, 1986.
- Dhahabī, Shams al-Dīn Muhammad b. Ahmad al-. Al-Kabā ir. Beruit: Dār al-Nadwa al-Iadīda, n.d.
- —. Siyar 'alām al-nubalā'. Beirut: Mu'assasa al-Risāla, 1413 ан. Fawzān, Şāliḥ b. Fawzān al-. Al-Jihād wa ḍawābiṭuhu al-shar'iyya. Ḥākim, Muhammad b. 'Abd Allāh al-. Al-Mustadrak 'alā al-sahīhayn. Beruit: Dar al-Kotob al-Ilmiyah, 1990.
- Ḥanafī, Ibn Abī al-ʿIzz al-. Sharḥ al-ʿaqīda al-ṭaḥāwiyya. Beirut: al-Maktab al-Islāmī, 1988.
- Ḥanbal, Aḥmad b. Al-Musnad. Beruit: Dar al-Kotob al-Ilmiyah, 1986.
- ---. Fadā'il al-Şahaba. Beruit: Mu'assasa al-Risāla, 1983.
- Ḥanbalī, Ibn Rajab 'Abd al-Raḥmān al-. Jāmi' al-'ulūm wa alhikam. Beruit: Dār al-Ma'rifa, 1408 AH.
- Ḥaṣkafī, Muhammad 'Alā' al-Dīn b. 'Alī al-. Al-Durr al-mukhtār fī sharh tanwīr al-absār. Beirut: Dar al-Fikr. 1386 AH.
- Haythamī, Nūr al-Dīn Abū al-Ḥasan 'Alī al-. Majma' al-zawā'id wa manba' al-fawā'id. Cairo: Dār al-Rayān li al-Turāth, 1987.
- Hindī, Ḥusām al-Dīn 'Alā' al-Dīn 'Alī al-Muttaqī al-. Kanz al-'ummāl. Beruit: Mu'assasa al-Risāla, 1979.
- Hitti, Philip K. History of the Arabs. Oxford: Macmillan Education Ltd., 1991.
- Huşayn, Fahd al-. Al-Fatāwā al-shar'iyya fī al-qadāyā al-'aşriyya. Ibn 'Abd al-Barr, Yūsuf b. 'Abd Allāh. Al-Tamhīd li mā fī almuwatṭa min al-ma'ānī wa al-asānīd. Marrakech: Ministry of Religious Affairs, 1387 AH.
- —. Al-Kāfī fī fiqh Ahl al-Madīna. Beirut: Dar al-Kotob al-Ilmiyah, 1407 AH.
- Ibn Abī al-Dunyā, 'Abd Allāh b. Muhammad. Al-Ahwāl.
- Ibn Abī 'Āṣim, 'Amr. Al-Sunna. Beruit: Al-Maktab al-Islāmī, 1400 AH.

- -----. Al-Diyāt. Karachi: Idāra al-Qur'ān wa al-'Ulūm al-Islāmiyya, 1308 ан.
- Ibn ʿĀbidīn, Muhammad. Radd al-muḥtār ʿalā al-durr al-mukhtār ʿalā tanwīr al-abṣār. Beirut: Dar al-Fikr, 1386 AH.
- Ibn Abī Hātim, 'Abd al-Raḥmān b. Muhammad Idrīs. Tafsīr al-Qur'ān al-'Azīm. Sayda: al-Maktaba al-'Aṣriyya, n.d.
- Ibn Abī Shayba, 'Abd Allāh b. Muhammad. Al-Muşannaf. Riyadh: Maktaba al-Rushd, 1409 AH.
- Ibn 'Adil, Abū Ḥafş Sirāj al-Dīn 'Umar b. 'Alī. Al-Lubāb fī 'ulūm al-Kitāb. Beruit: Dar al-Kotob al-Ilmiyah, 1998.
- Ibn Aḥmad, 'Abd Allāh. Al-Sunna. Damam: Dār Ibn al-Qayyim, 1406 AH.
- Ibn Anas, Mālik. Al-Muwaţţā. Beruit: Dār Iḥyā' al-Turāth al-'Arabī. 1985.
- Ibn 'Asākir, 'Alī b. al-Ḥasan. Tārīkh Dimashq al-kabīr. Beirut: Dar al-Fikr, 1995.
- Ibn al-Athīr, 'Alī b. Muhammad. Al-Kāmil fī al-tārīkh. Beirut: Dār Sādir, 1979.
- Ibn Baţţāl, 'Alī b. Khalaf. Sharh Şahīh al-Bukhārī. Riyadh: Maktaba al-Rushd. 2003.
- Ibn Bāz, 'Abd al-'Azīz. Khaṭa' man yaqūl anna ṭā'at wullāt alumūr wa munāsahatahum 'fikran inhizāmiyan [sɪc]'. www.
- binbaz.org.sa/mat/1934 (last accessed May 24, 2010).
- Ibn Bazzāz, Muhammad b. Muhammad b. Shihāb. Al-Fatāwā al-bazzāziyya 'alā hāmish al-fatāwā al-'ālamghirīyya. Beirut: Dār al-Ma'rifa, 1973.
- Ibn Fāris, Aḥmad. Mu'jam maqāyīs al-lugha. Damascus: Ittiḥād al-Kitāb al-'Arab. 2002.
- Ibn Ḥazm, 'Alī Aḥmad b. Sa'īd. Al-Muḥallā. Beirut: Dār al-Āfāq al-Jadīda, n.d..
- Ibn Ḥibbān, Abū Ḥātim Muhammad. Al-Ṣahīh. Beruit: Mu'assasa al-Risāla, 1993.
- Ibn Hishām, Abū Muhammad 'Abd al-Malik. Al-Sīra. Beruit: Mu'assasa al-Risāla, 1993.
- Ibn Hubayra, 'Awn al-Dīn Yaḥyā. Al-Ifṣāh 'an ma'ānī al-ṣihāh fī al-fiqh 'alā al-madhhab al-arba'a. Riyadh: Dār al-Waṭan, 1417 AH.

- Ibn Humām, Kamāl al-Dīn Muhammad b. 'Abd al-Wāhid. Fath al-Qadīr sharh al-hidāya. Quetta: Maktaba Rashīdiyya, n.d.
- Ibn Humayd, 'Abd. Al-Musnad. Cairo: Maktaba al-Sunna, 1988.
- Ibn Ibrāhīm, Abū Yūsuf Ya'qūb. Kitāb al-kharāj. Beirut: Dār al-Ma'rifa, n.d.
- Ibn Kathīr, Abū al-Fidā' Ismā'īl b. 'Umar. Tafsīr al-Qur'ān al-'Azīm. Beruit: Dar al-Fikr, 1401 AH.
- ---. Al-Bidāya wa al-nıhāya. Beirut: Maktaba al-Ma'ārif, n.d.
- Ibn Khuzayma, Muhammad b. Isḥāq. Al-Ṣaḥīḥ. Beruit: al-Maktab al-Islāmī, 1970.
- Ibn Mandah, 'Abd Allāh Muhammad b. Ishāq. Al-Imān. Beruit: Mu'assasa al-Risāla, 1406 AH.
- Ibn Mufliḥ, Ibrāhīm b. Muhammad. Al-Mubdi^e fī sharḥ al-Muqni^e. Beirut: al-Maktab al-Islāmī, n.d.
- Ibn Muflih, Shams al-Dīn. Al-Furū'. Beirut: Dar al-Kotob al-Ilmiyah, 1418 AH.
- Ibn Nujaym, Zayn al-Dīn. Al-Baḥr al-rā'iq sharh kanz al-daqā'iq.
 Beirut: Dār al-Ma'rifa. n.d.
- Ibn Rushd, Muhammad b. Ahmad. Bidāyat al-mujtahid. Beirut: Dar al-Fikr, n.d.
- Ibn Sa'd, Muhammad. Al-Ţabaqāt al-kubrā. Beirut: Dar Bayrūt, 1978.
- Ibn Sallām, Abū 'Ubayd al-Qāsım. Kıtāb al-amwāl. Beirut: Dar al-Fikr, 1308 AH.
- Ibn Taymiyya, Aḥmad b. 'Abd al-Ḥalīm. Al-Nubuwwāt. Beirut: Dār al-Kitāb al-'Arabī, 1985.
- ---. Majmū'a al-fatāwā. Maktaba Ibn Taymiyya, n.d.
- Ibn Zanjawayh, Ḥamīd. Kıtāb al-amwāl. Riyadh: Markaz al-Malik Fayşal li al-Buḥūth wa al-Dirāsāt al-Islāmiyya, 1986.
- Jaşşāş, Abū Bakr Aḥmad b. ʿAlī al-. Aḥkām al-Qurʾān. Beruit: Dār Iḥyāʾ al-Turāth al-ʿArabī, 1405 AH.
- Jawziyya, Muhammad b. Abī Bakr Ayyūb Ibn Qayyim al-. Ahkām ahl al-dhimma. Beirut: Dār Ibn Ḥazm, 1997.
- Jazīrī, 'Abd al-Raḥmān al-. Al-Fiqh 'alā al-madhāhib al-arba'a. Beirut: Dār Iḥyā' al-Turāth al-'Arabī, n.d.

Jazarī, Mubārak b. Muhammad al-. Al-Nihāya fī gharīb al-āthār. Beirut: al-Maktaba al-'Ilmiyya, 1399 AH.

Kalbī, Muhammad b. Aḥmad b. Juzayy al-. Al-Qawānīn al-fiqhiyya. Beirut: Dar al-Fikr, n.d.

Karmī, Mar'ī b. Yūsuf al-. Ghāyat al-muntahā. Beirut: al-Maktab al-Islāmī, n.d.

Kāsānī, 'Alā' al-Dīn al-. Badā'i' al-sanā'i'. Beirut: Dār al-Kitāb al-'Arabī, 1982.

Kawtharī, Muhammad Zāhid al-. Majmū'a al-'aqīda wa 'ılm al-kalām. Beirut Dar al-Kotob al-Ilmiyah, 2004.

Khāzin, 'Alī b. Muhammad b. Ibrāhīm al-. Lubāb al-ta'wīl fī ma'ānī al-Tanzīl. Beruit: Dār al-Ma'rifa, n.d.

Khiraqī, 'Umar b. Ḥusayn al-. Mukhtaşar al-Khiraqī min masā'il al-Imām Aḥmad b. Ḥanbal. Beirut: al-Maktab al-Islāmī, 1403 AH.

Maḥallī, Jalāl al-Dīn al- and Jalāl al-Dīn al-Suyūṭī. Tafsīr al-Jalālayn. Beruit: Dār Ibn Kathīr, 1998.

Maqdisī, Ibn Qudāma al-. Al-Kāfī fī fiqh Ibn Ḥanbal. Beirut: al-Maktab al-Islāmī, n.d.

—... Al-Mughnī fī fiqh al-Imām Ahmad b. Hanbal al-Shaybānī. Beirut: Dar al-Fikr, 1405 AH.

Maqdisī, Muhammad b. 'Abd al-Wāḥid al-. Al-Aḥādīth almukhtāra. Mecca: Maktaba al-Nahḍa al-Ḥaditha, 1990.

Mardāwī, 'Alā' al-Dīn 'Alī b. Sulaymān al-. Al-Inṣāf fī ma'rifat al-rājih min al-khilāf 'alā madhhab al-Imām Aḥmad b. Ḥanbal. Beirut: Dār Iḥyā' al-Turāth al-'Arabī, n.d.

Marghīnānī, 'Alī b. Abī Bakr b. 'Abd al-Jalīl al-. Al-Hidāya sharḥ al-bidāya. Beirut: al-Maktaba al-Islāmiyya, n.d.

Marwadhī, Nu^saym b. Ḥammād al-. Al-Fitan. Beruit: Mu'assasa al-Kutub al-Thaqāfiyya, 1408 AH.

Marwazī, Aḥmad b. 'Alī al-. Musnad Abī Bakr al-Şiddīq. Beruit: al-Maktab al-Islamī, n.d.

Marwazī, Muhammad b. Naṣr al-. Ta'zīm qadr al-ṣalāt. Medina: Maktaba al-Dār, 1302 AH.

Māturīdī, Abū Manşūr Muhammad b. Muhammad b. Maḥmūd al-. Ta'wīlāt Ahl al-Sunna. Beirut: Mu'assasa al-Risāla, 2004.

- Māwardī, 'Alī b. Muhammad al-. Al-Ahkām al-sulţāniyya. Beirut: Dar al-Kotob al-Ilmiyah, 1978.
- —... Al-Iqnā' fī al-fiqh al-Shāfi'ī. Beirut: Dar al-Kotob al-Ilmiyah, n.d.
- Mubārakpūrī, Muhammad 'Abd al-Raḥmān al-. Tuhfat al-ahwadhī fī sharh Jāmı' al-Tirmidhī. Beirut: Dar al-Kotob al-Ilmiyah, n.d. Muhammad Mīgā, Ismā'īl. Mabādī al-Islām.
- Munāwī, 'Abd al-Ra'ūf b. Tāj al-Dīn al-. Fayd al-Qadīr sharh al-Jāmi' al-şaghīr. Egypt: Maktaba Tijāriyya al-Kubrā, 1356 ан.
- Mundhirī, 'Abd al-'Azīm al-. Al-Targhīb wa al-tarhīb. Beruit: Dar al-Kotob al-Ilmiyah, 1417 AH.
- Naḥās, Abū Ja'far Aḥmad b. Muhammad b. Ismā'īl al-. Ma'ānī al-Qur'ān al-Karīm. Mecca: Umm al-Qurā University Press, 1409 AH.
- Nasā'ī, Aḥmad b. Shu'ayb al-. Al-Sunan. Beruit: Dar al-Kotob al-Ilmiyah, 1995.
- Nawawī, Muḥyī al-Dīn Yaḥyā b. Sharaf al-. Sharh al-Nawawī 'alā Şaḥīh Muslim. Beirut: Dār Iḥyā' al-Turāth, 1392 AH.
- Nīshābūrī, Abū 'Awāna Ya'qūb b. Ishāq al-. Al-Musnad. Beruit: Dār al-Ma'rifa, 1998.
- Nīshābūrī, Muslim b. al-Ḥajjāj al-. Al-Jāmi' al-ṣaḥīh. Beruit: Dār Ihyā' al-Turāth al-'Arabī, n.d.
- Pānipātī, Qādī Thanā' Allāh al-. Al-Tafsīr al-mazharī. Quetta: Baluchistan Book Depot, n.d.
- Qarāfī, Shihāb al-Dīn al-. Al-Dhakhīra fī al-fiqh al-Mālikī. Beirut: Dār al-Gharb, 1996.
- —... Al-Furūq (Anwār al-burūq fī anwā' al-furūq). Beirut: Dar al-Kotob al-Ilmiyah, 1998.
- Qārī, Mullā 'Alī al-. Mirqāt al-mafātīh sharh mishkāt al-maṣābīh. Multan: Maktaba Imdādiyya, n.d.
- Qastalānī, Ahmad b. Muhammad al-. Irshād al-sārī li sharh Şahīh al-Bukhārī. Beruit: Dār al-Fikr, n.d.
- Qazwīnī, Ibn Mājah al-. Al-Sunan. Beruit: Dār al-Fikr, n.d.

Qurashī, Yaḥyā b. Ādam al-. Kitāb al-kharāj. Lahore: al-Maktaba al-Islāmiyya, 1974.

Qurtubī, Abū 'Abd Allāh Muhammad b. Ahmad al-. Al-Jāmi' li aḥkām al-Qur'ān. Cairo: Dār al-Sha'b, 1372 AH.

—... Al-Mufhim li ma ushkila min talkhīş kitāb Muslim. Beruit: Dār Ibn Kathīr, 1999.

Rabī', Ibn Ḥabīb al-. al-Jāmi' al-ṣaḥīḥ/Musnad al-Imām al-Rabī'. Beruit: Dār al-Ḥikma, 1415 AH.

Ruḥaybānī, Muṣṭafā b. Sa'd al-. Maṭālib uwlī al-nuhā fī sharḥ ghāyat al-muntahā. Damascus: al-Maktab al-Islāmī, 1961.

Rāzī, Fakhr al-Dīn Muhammad b. 'Umar al-. Mafātīḥ al-ghayb (al-tafsīr al-kabīr). Beruit: Dar al-Kotob al-Ilmiyah, 1421 AH.

Riḍā Khān, Aḥmad. Al-ʿAṭāyā al-Nabawiyya fī al-fatāwā al-rıḍ awiyya. Lahore: Raza Foundation, Jāmiʿa Nizāmiyya Riḍawiyya, 1991.

Ru'yānī, Muhammad b. Hārūn al-. Musnad al-Ṣaḥāba (Musnad al-Ru'yānī). Cairo: Mu'assasa Qurtuba, 1416 AH.

Samarqandī, Abū al-Layth Nasr b. Muhammad b. Ibrāhīm, al-.

Bahr al-'ulūm. Beirut: Dār al-Fikr. n.d.

Şan'ānī, 'Abd al-Razzāq al-. *Al-Muşannaf*. Riyadh: Al-Maktab al-Islāmī. 1403 AH.

Sarakhsī, Shams al-Dīn al-. *Al-Mabsūṭ*. Beirut: Dār al-Maʿrifa,

Shāfi'ī, Muhammad b. Idrīs. Al-Musnad. Beruit: Dar al-Kotob al-Ilmiyah, n.d.

Shāṭibī, Abū Isḥāq Ibrāhīm b. Mūsā al-. Al-I'tiṣām. Egypt: al-Maktaba al-Tijāriyya al-Kubrā, n.d.

Shahrastānī, Muhammad b. 'Abd al-Karīm al-. Al-Milal wa al-nihal. Beirut: Dār al-Ma'rifa, 2001.

Shawkānī, Muhammad b. 'Alī al-. Nayl al-awţār sharḥ Muntaqā al-akhbār. Beirut: Dār al-Jīl, 1973.

Shaybānī, Muhammad b. Ḥasan al-. Al-Mabsūṭ. Karachi: Idāra al-Qur'ān wa al-'Ulūm al-Islāmiyya, n.d.

-----. Al-Ḥujja 'alā Ahl al-Madīna. Beirut: 'Ālam al-Kutub, 1403

- Shirbīnī, Muhammad Khaṭīb al-. Al-Iqnā' fī hill alfāz Abī Shujā'.

 Beirut: Dar al-Fikr, 1415 AH.
- —... Mughnī al-muḥtāj ilā ma'rifat ma'ānī alfāz al-minhāj. Beirut: Dār Iḥyā' al-Turāth al-'Arabī, 1982.
- Sijistānī, Abū Dāwūd al-. Al-Sunan. Beruit: Dār al-Fikr, 1994.
- Suyūţī, Jalāl al-Dīn al-. Al-Durr al-manthūr fī al-tafsīr bi al-ma'thūr. Beruit: Dār al-Fikr, 1993.
- Ţabarānī, Sulaymān b. Aḥmad al-. Al-Mu'jam al-şaghīr. Beruit: al-Maktab al-Islāmī, 1985.
- Al-Mu'jam al-awsat. Cairo: Dar al-Haramayn, 1415 AH.
- ---. Musnad al-Shāmiyyīn. Beruit: Mu'assasa al-Risāla, 1985.
- Țabarī, Abū Ja'far Muhammad b. Jarīr al-. Jāmi' al-bayān fī tafsīr al-Our'ān. Beirut: Dār al-Fikr. 1405 AH.
- —... Tārīkh al-umam wa al-mulūk. Beirut: Dar al-Kotob al-Ilmiyah, 1407 AH.
- Tabarsī, Fadl b. Hasan al-. Al-Mu'talıf mın al-mukhtalıf bayn a'ımma al-salaf. Qom: Matba'a Sayyid al-Shahīd, 1410 AH.
- Taḥāwī, Abū Jā'far Aḥmad b. Muhammad al-. Sharḥ ma'ānī al-āthār. Beirut: Dar al-Kotob al-Ilmiyah, 1399 AH.
- —... Al-'Aqīda al-ţaḥāwiyya. Beirut: Dar al-Kotob al-Ilmiyah, 1399 AH.
- Tamīmī, Abū Ya'lā Aḥmad b. 'Alī al-. Al-Musnad. Damascus: Dār al-Ma'mūn li al-Turāth, 1984.
- Tanūkhī, Saḥnūn b. Saʿīd b. Ḥabīb al-. Al-Mudawwana al-kubrā. Beirut: Dār Ṣādir, n.d.
- Tayālisī, Sulaymān b. Dāwūd Jārūd al-. Al-Musnad. Beruit: Dār al-Ma'rifa, n.d.
- Tirmidhī, Abū 'Īsā Muhammad b. 'Īsā al-. Al-Sunan. Beruit: Dār Iḥyā' al-Turāth al-'Arabī, n.d.
- 'Uthmānī, Shabbīr Ahmad al-. Fath al-Mulhim bi sharh Şahīh al-Imām Muslim. Damascus: Dār al-Qalam, 2006.
- Watt, Montgomery. Islamic Political Thought: The Basic Concepts. Edinburgh: Edinburgh University Press, 1980.

440 | FATWA on Terrorism and Suicide Bombings

Yaḥṣubī, Qāḍī 'Iyāḍ al-. Ikmāl al-mu'lim bi fawā'id Muslim. Beruit: Dār al-Wafā, 1998.

—... Al-Shifā bi ta'rīf huqūq al-Muştafā 🏔. Beirut: Dār al-Kitāb al-'Arabī, n.d.

Zamakhsharī, Jār Allāh Abū al-Qāsim Maḥmūd b. 'Umar al-. Al-Kashshāf 'an haqā'ıq ghawāmıd al-Tanzīl. Beruit: Dār Iḥyā' al-Turāth al-'Arabī, n.d.

INDICES



INDEX OF QUR'ANIC VERSES

- 2:11 Do not spread corruption in the land 15, 266
- 2:12 Truly, it is those who spread corruption 15, 266
- 2:71 Sound without any blemish 27
- 2:74 Then [even] after this your hearts hardened 67
- 2:83 And speak with goodness [husnan] to people 44
- 2:114 Who is more unjust than he who forbids the remembrance of God's name in the places of prostration 66
- 2:125 And [remember] when We made this House [the Ka'ba] a central place for mankind to turn to [and assemble] and a sanctuary for peace 37
- 2:143 And likewise We have made you'a moderate nation 253
- 2:178 O you who believe! Retribution [qisās] is prescribed for you 162 2:178 And it should be paid

- in a graceful manner [bi ihsān] 47
- 2:179 And there is a [guarantee of] life for you in retribution 102
- 2:188 And do not eat up one another's wealth amongst yourselves through injustice 106-107
- 2:191 And tribulation [fitna] is worse than killing 197
- 2:195 And spend in the cause of God 49
- 2:195 And do not cast yourselves into destruction with your own hands 78
- 2:195 Certainly, God loves the people of Ihsan 48
- 2:201 O our Lord, grant us excellence [hasana] in this world, and excellence in the Hereafter 45
- 2:204 And amongst
 people there is he whose
 conversation seems pleasing
 to you in the life of the
 world 14
- 2:205 And when he turns away, he runs about in the land to cause corruption 14

- 2:206 And when it is said to him, 'Fear God', his arrogance leads him to more sins 14
- 2:208 O believers! enter Islam perfectly and wholly 25
- 2:246 Have you not seen the group from the Children of Israel 246
- 2:256 There is no compulsion in religion 159, 280, 404
- 3:7 He is the One who has revealed to you the Book 257
- 3:19 Truly, Islam is the only din [Religion] in God's sight 21
- 3:104 Let their arise amongst you a group that invites to good 400
- 3:106 On the Day when many faces will be bright and many others will be dark 260, 321
- 3:110 You are the best nation raised up for mankind; you enjoin the good and forbid the evil 399
- 3:118 O believers! Do not confide in those who are not from amongst you 261
- 4:5 And do not give the foolish your wealth 313
- 4:29 O you who believe! Do not devour one another's

- wealth unlawfully amongst yourselves 78
- 4:30 But whoever does that through transgression and injustice 79
- 4:59 Obey God and obey the Messenger and those of authority amongst you 224
- 4:71 O you who believe! Take your precautions 247
- 4:92 Whoever kills a Muslim unintentionally shall [be liable to] free a male or female Muslim 102
- 4:93 But he who kills a Muslim deliberately, his recompense will be Hell 63,70
- 4:97 'Was God's earth not spaceous enough for you to migrate therein?' 223
- 4:125 And with regard to dīn, who can be better than he who submits his whole being entirely to God 24,
- 4:148 God does not like the public mention of evil 399
- 5:2 And help one another with piety and righteousness 400
- 5:3 Today I have perfected your din for you, and have completed My Blessing upon you 24

- 5:3 I have chosen for you Islam as a din 21
- 5:8 O you who believe! Stand firm for God, witnesses in justice 119
- 5:16 By this God guides those who seek His pleasure 28
- 5:32 Whoever kills a person [unjustly], except as a punishment for murder XXV, 61-62, 94
- 5:32 And whoever saves the life of one person 63
- 5:33 Indeed, those who wage war against God and His Messenger # 97, 186, 193,
- 5:34 except those who turn to God in repentance before you overpower them 97, 186
- 5:44 And whoever does not judge by what God has revealed 290, 369
- 5:45 And we prescribed for them in it [the Torah] retribution: a life for a life 162
- 5:78 Cursed were those who disbelieved 408
- 5:81 If only they had believed in God and the Prophet and what was revealed to him 408
- 5:93 There is no sin on those

- who believe [have Imān] and do righteous deeds 24
- 5:94 After this, whoever exceeds the limits shall receive a painful punishment 103
- 5:105 O you who believe! Take care of your own selves 401
- 6:1 Yet those who disbelieve hold others as equal with their Lord 369
- 6:35 [They should seek] some ladder [climbing up] to heaven 30
- 6:54 Say, 'Peace be upon you!' Your Lord has made Mercy incumbent upon Himself 26
- 6:108 And do not insult those whom they worship besides God 159
- 6:127 For them is the home of peace and security with their Lord 27
- 6:151 Say [O Prophet],

 'Come, I will recite to you
 those things which your
 Lord has forbidden to
 you' 70-74
- 6:164 And whatever [sin] each soul earns [its evil outcome] falls back upon it 106
- 7:165 And We seized [the rest of] the people who

- committed injustice
 [actively or passively] 113
 7:180 And to God alone
 belong the most beautiful
 names [al-asmā' alhusnā] 47
- 8:43 But God saved [sallam] 28
- 8:60 And prepare against them as much might as you can 247
- 8:66 God has now lightened the burden upon you 248
- 9:18 Only he who believes in God and the Last Day . . . can maintain and frequent the mosques of God 67
- 9:61 And those who annoy the Messenger of God 363
- 9:71 And the believing men and women are allies to one another 400
- 9:91 The people of Ihsan are not to be blamed 48, 51
- 9:115 God will not lead a people astray after having guided them 325
- 10:25 And God calls towards the Abode of Peace 27
- 10:26 For those who do pious works there is good recompense and more [added to it] 47...
- 10:99 So will you coerce people until they become believers? 160

- 11:48 Get down [from the Ark] with peace [b: salām] and blessings from Us 28
- 11:67 And the dreadful shriek seized those who had wronged 341
- 11:68 As if they had never prospered therein 341
- 11:114 Surely, good actions remove the evil actions 45
- 12:36 Surely, we see you one of the spiritually excellent [muhsinīn] 48
- 13:22 And they repel evil by means of good 44
- 13:24 Peace be upon you as a reward for your patience 28
- 13:25 And they who spread corruption on the earth; for them is the curse 264
- 15:46 Enter them with peace [bi salām] and security 28
- 16:41 And to those who migrated from their homes in the cause of God, after suffering oppression 410
- 16:90 Indeed, God enjoins
 justice and benevolence
 [towards everyone] 46
- 16:125 Invite to the path of your Lord with wisdom 280
- 18:64 That is what we were seeking [nabghi] 175
- 18:103 Say, 'Shall we inform

- you of those who are the greatest losers with respect to their deeds?' 265, 280
- 18:104 It is those whose entire struggle is wasted in the life of this world 17, 265, 280
- 18:104 Those whose entire struggle is wasted in the life of this world, but they presume they are doing good 17
- 22:40 And had God not repelled one group of people from another 163
- 22:41 [The believers are those] who, if We establish their rule in the earth 399
- 22:78 He [God] has named you Muslims in the previous [Books] 21
- 25:63 When the ignorant people say to them something [with bad words] they reply 28
- 25:68 And [the believers are] those who do not worship any other god besides God 70
- 26:89 But he alone [will enter Paradise] who appears before God with a sound [salīm] heart 27
- 28:77 And seek not mischief in the earth 186 29:8 And We have enjoined

- man to behave benevolently with his parents 44
- 29:56 O my servants who believed! Indeed, My earth is vast so worship Me alone 411
- 29:67 And have they not seen that We have made the Sanctuary [of the Ka'ba] a safe haven? 37
- 29:69 Certainly, God is with the people of Ihsan 48
- 33:58 And those who hurt the believing men and women 75
- 35:8 [So what about him] whose evil action has been made attractive to him and he considers it good 266
- 36:58 'Peace [be upon you]!'
 This greeting will be
 conveyed [to them] from
 the Ever-Merciful Lord 28
- 38:26 O David! Indeed, We have made you a vicegerent on the earth 290
- 39:3 Listen, sincere devotion is only God's due 14
- 40:25 And they kept their women alive 124
- 41:34 And good and evil cannot be equal 45
- 46:24 When they saw it as a cloud approaching their valleys 339
- 46:25 It will destroy

- everything by the command of its Lord 339
- 48:10 Indeed, those who pledge fealty to you are only pledging fealty to God 195, 263
- 49:9 And if two parties amongst the believers fight each other then make peace between them 180, 229
- 49:9 And if one party goes against the other 180,
- 49:9 Then all of you together fight the contentious party until they all submit to the command of God 336
- 49:14 The Bedouins say, 'We have believed' 24
- 54:31 Indeed, We sent upon them one shriek and they became like 342
- 55:60 And is the reward of good anything but good? 47
- 60:8 God does not forbid you of those who do not fight you because of religion 120

- 69:6 And as for the people of 'Ad, they were destroyed by a fierce roaming wind 332, 338
- 69:7 God imposed it upon them for seven nights 338
- 69:8 Then do you see of them any remains 338, 340
- 71:27 Surely, if You leave them they will continue leading Your servants astray 342
- 85:10 Indeed, those who subject the believing men and women to tribulation 74-77
- 85:10 For them is the punishment of Hell, and for them is a burning torment 74
- 95:3 The city of peace 36 106:3 So they should worship
- the Lord of this Sacred House [the Ka'ba] 36 106:4 Who has fed them in
- hunger and secured them from fear 36

INDEX OF HADITH REPORTS AND NARRATIONS

A man would witness his brother committing a sin and forbid him from it 408

A Muslim is not to be killed in retaliation for murdering a disbeliever 105

A priest should not be killed in his church 146

A woman was found slain in one of the expeditions 121

A word of truth by which falsehood is intended 271, 297, 310

Abū Bakr al-Ṣiddīq forbade people from cutting down fruit-bearing trees or destroying buildings 137

Amongst the dearest of you to me 52

Any Muslim who unjustly kills a non-Muslim with whom there is a peace treaty 98

Are the best amongst you not from the children of pagans 122

Are they not the children of the pagans 122

As for me, I shall not pray over him 88

At the end of time there shall appear a folk, young in age

and foolish 298, 312, 331, 357

Beware! No priest tending to his monastery should be killed 127

Beware of extremism in the religion, for that is what destroyed those before you 303

Blood that was shed unlawfully 73

Break no promise, steal not from the spoils of war and do not mutilate bodies or slay children or monks 127

But whoever is pleased with their bad deeds and follows them 214, 217-218

By God, he does not truly believe 42

By the One besides whom there is no other god, they are the Harūriyya 264

By what justification do you declare it lawful to kill us and rebel against our community and take up arms 289

Certainly we and you are in the same state as we were before 288

Deal with people with good character 50-51 Did they [the heirs of the killerl scare you or threaten vou in any way 153 Did you kill him after he said: 'There is no god but God' 63 Do not act treacherously, do not steal the spoils of war, do not disfigure the dead hodies TO2 Do not be deceived by them 328 Do not burden them [non-Muslim citizensl with more than they can bear 148-149 Do not come into conflict with the rulers that are over you 209 Do not demolish a church 127, 146 Do not demolish any place of worship 146 Do not disobey [the military commanderl or show cowardice =138, 146 Do not enter the house of someone who has laid down his arms, for he is considered safe 133 Do not kill a sick person or a monk 146 Do not kill a young boy, a woman or an old man 125

Do not kill a young child, a woman or an elderly infirm man 137 Do not kill an injured person 133 Do not kill an old man or a young boy 126, 138 Do not kill any children or old people or women 127 Do not kill any feeble old man, or any infant or young child or woman 122-123, 125, 131 Do not kill children [walid] 124 Do not kill children and priests 102 Do not kill those who tend to the monasteries 127 Do not mutilate (anyone) 128 Do not mutilate bodies or slay children or monks 127 Do not revert as disbelievers after me by striking one another's necks 69, 71-72 Do not spread corruption in the earth and do not disobey orders 146 Do not take anything without right 128, 129 Eating stolen food is not any more lawful than eating carrion 138 Even if all the inhabitants of the heavens and earth gathered together to shed

- the blood of a single believer 72
- Every time a generation of them appears it will be cut down 319, 378, 388
- Every violator of trusts will have a banner by which he will be known 249
- Fear God wherever you may be so
- Follow up a bad deed with a good deed and it will efface it 50
- From the offspring of this man there shall emerge a folk 304, 332
- From there the horn
 [generation] of Satan shall
 rise 316
- Glad tidings of Paradise to those who kill them or are killed by them 298
- God does not observe your forms and your properties 35
- God has not permitted you to enter the houses of the People of the Book without permission 135
- God has prescribed spiritual excellence in everything 49
- God is gentle and He loves gentleness 53, 303
- God is Gentle and Kind and He loves gentleness in everything 53

- God Most High said, 'My slave decided to hasten his own demise, so I made Paradise forbidden for him' 84
- God shall torment those who torment others in the life of this world 150
- God will not accept any act of worship, obligatory or supererogatory, who attacks a Muslim and kills him 76
- God would have surely pulverised the rebellious one 198
- Hand over those of you whom we want 288
- He bestows for the sake of gentleness what He does not bestow due to harshness 53, 303
- [H]e has compatriots; and you will belittle your prayers and fasting in comparison to theirs 267
- He ordered [the killing of the Muslim killer by way of retribution] and he was killed 103
- He took a knife, sliced his wounded hand and died due to excessive blood loss 84
- He who believes in God and the Last Day 41-42

He who is untrustworthy has no faith 43 He who raises arms against us is not from us 211-212 He will throw himself down a mountain in Hell forever 80 I advise my successor to fulfil the contract of the non-Muslim citizens 148 I am most responsible of all for fulfilling the rights of those under his care 103 I am the source of security for my Companions 37 I bear witness that I am God's servant and Messenger 87 I enjoin you to fear God 138 I forbid you from the property of the non-Muslim citizens 145 I heard him mention a folk who engage in much worship 323 I hereby command you to deal with the non-Muslim citizens in an excellent manner 15% I shall plead on his [the latter's behalf on the Day of Resurrection 112 I was eager to meet a man from the Companions so I could ask him about the Kharijites 318 I would have applied the

prescribed punishment upon her 109 If a Muslim kills a Christian, he should be killed in retribution 104, 154 If anyone helps in the murder of a believer 65 If I were to encounter them I would slay them like the people of 'Ad 332, 339-340, 350, 364 If one mountain rebelled against another mountain 198 If one of his extremities is cut off 103 If someone spends the night satiated while his neighbour is hungry, he has not believed in me 43 If someone's relative is killed 103 If they are quiet we will overwhelm them 271 If war booty comes your way, do not steal from it 126, 244 If you then find anything detestable in a ruler, you should hate his action 216 If you were to kill him. then he would be in your position before you killed him 64 If your neighbours say, 'You are spiritually excellent' 51

- Imān is to believe in God, His Angels, His Books, His Messengers 22
- In their mutual love, mercy and compassion, the true believers are like the physical body 39
- Indeed, God does not punish all for the actions of the few 407
- Indeed, the ruler is a shield 247
- Islam is to bear witness that there is no god but God 22
- It [al-Aḥlās] is chaos and mass killing 73
- It [haraj] is killing 73
- It [Ihsan] is to worship God as though you see Him, and if you don't see Him, know that He sees you 23
- It is an established Sunna that ambassadors are not to be killed 101
- It is not fitting that anyone but the Lord of the fire should punish with fire 134
- It is not from the Sunna to take up arms against your government 202
- Killing a believer is a more serious matter in the sight of God than the destruction of the entire world 68 Let not any man shrink from

- saying the truth out of fear of people if he knows it 400
- Miserliness will surface and tribulations will rise 73
- My Companions are a source of security for my *Umma* 38
- My nation shall soon fall prey to dissention and disunity 143, 333
- Najran and her allies are under the protection of God and the guarantee of the Messenger of God
- No man amongst them
 [the peaceful nonMuslim citizens] shall
 be punished as a penalty
 for the injustice of a
 coreligionist 106
- None of you should point a weapon at his brother 60
- O God! Bless for us our Levant 316
- O Messenger of God! I passed through a particular valley 334
- O Messenger of God! What is the tribulation of al-Ahlās 73
- O Messenger of God, what is haraj 73
- Obedience is only in that which is right 82-83

Obey the authority that you have challenged 288 One fights behind him and is protected by him 247 One of the bewildering aspects of the Kharijites is that 333 Otherwise God will cause the evil ones in your midst to gain authority over you 402 Prohibit the Muslims Junder vour commandl from oppressing them [the non-Muslim citizens 1 108 Reviling a Muslim is immorality, and fighting him is disbelief 34 Rulers will be appointed over you 214 Serve food and give the salutation of peace to the one whom you know 32 Since when have you regarded people as your slaves, while their mothers gave birth to them as free men 110 So how will you deal with 'There is no god but God' when the Day of Resurrection comes? 64 Someone who killed himself with a spear was brought to the Prophet is but he did not pray over him 88 The believer is he whom

people trust with their

property and their persons 43 The believer is to another believer like an edifice, each part of it strengthens the other 39

The believer will consider his own prayers and fasting insignificant in comparison to theirs [i.e., Kharijites] 345

The believer will surely attain, by the excellence of his moral character 52

The best jihad is a just word in the presence of an unjust ruler 213

The best of you are children of pagans 123

The best of your rulers are those whom you love and who love you 216

The blood money for a Jew, a Christian and every non-Muslim citizen is like that of the Muslim 104

The blood of a servant is inviolable 131

The envious, the calumnious and the soothsayer are not from me 75

The first issue that will be judged between people on the Day of Resurrection is that of blood [murder] 72
The Hellfire is forbidden for

every mild-mannered and even-tempered person 53 The injured person or prisoner should not be killed 132

The inviolability of a believer's property and blood is greater in the sight of God than 40, 43, 59

The Kharijites are the dogs of Hell 242

The Kharijites used to invite me to their way until I almost joined them 322

The likeness of the one who is lax in applying the prescribed limits of God 409

The Messenger of God a came to Khaybar at night: 133

The Messenger of God forbade taking the wealth of the non-Muslim citizens 145

The Messenger of God ... forbade that an unsheathed sword be handed to someone else 61

The Messenger of God & forbade the killing of women and children 121, 124-125

The Messenger of God mentioned the Kharijites 299, 326 The most complete of the believers is he from whose tongue and hand the Muslims are safe 32, 38

The most complete of the believers in faith is is the finest of them in moral character 19

The Muslim is he from whose tongue and hand the Muslims are safe 26, 31, 366

The Muslim is the brother of his fellow Muslim 33

The Muslim's blood, property and honour are forbidden for the other Muslim 33

The non-Muslim citizens pay the tax so that their blood and property should be as inviolable as ours 108, 114

The one from whose tongue and hand all people are safe 35

The one from whose tongue and hand the Muslims are safe 31

The one who commits suicide will go to Hell 79

The one who flees should not be pursued 132, 327

The one who is killed by them is the best person killed 349

The only thing I fear for you is a man who recites the Qur'an until you see its

The passing away of the entire world is less in the sight of God than the murder of a single Muslim 68 The passing away of the whole world is lighter than unjustly shedding the blood of a human being 69 The people used to ask the Messenger of God & about the good 201 The property of the non-Muslim citizens is not lawful to you 144 The Prophet saw an anthill that was burned and declared 134 The stars are the source of security for the heavens 37 The tribulation shall appear from here [and he pointed to the east 316 The tribulations a man faces with regards to his family 401 The true believer [mu'min] is he whom people trust with regard to their blood and their properties 41 The true believer is not a

defamer, or curser or one

given to vulgarities and

obscenities 40
Their faith will not pass their

throats 345

beauty upon him 204

Their prayers will not pass their throats 346 Their slogans and pretentious talks will be better than others' and moving 347 There are no people in the midst of whom a man does acts of disobedience 401 There are three characteristics of faith AI There is no hostility as such between you and us 288 There is no jihad for the one who breaks into the houses of others 136 There is no nation in which acts of disobedience are committed 406 There is no obedience in that which is disobedience 82 There shall appear a folk in this Umma 305, 361 There shall appear a group in the direction of the east who will recite the

Qur'an 319, 387
There shall appear groups of people with the faces of humans but with the hearts of devils 388
There shall be a folk that

comes from my Umma and they will recite the Qur'an 274, 308 There shall be a folk whose

- words are good but whose actions are bad 333 There shall emerge a folk who speak the truth but it will not pass their throats 279, 3 I I
- There shall emerge from the offspring of this man [Dhū al-Khuwaysira al-Tamīmīl a folk 332
- There shall soon appear a folk who are young in age, sharp-witted and severe 343
- There was a man who was extremely lax in performing good deeds 54
- There was a merchant who used to give people credit 53
- They [the Kharijites] are the worst of my Umma 299, 326
- They [the Kharijites] encountered a Muslim and a disbeliever on the road. and killed the Muslim 333 They [the Kharijites] uttered,
- 'There is no judgment but for God' 272, 310
- They [the Muslim soldiers] did not kill the merchants amongst the pagans 129
- They are the dogs of the Hellfire 259, 298, 300, 321-322, 358, 374

- They are the most despised of creation in the sight of God 327
- They are the worst of those slain under the heavens 350
- They grouped me with the children and I was spared 123
- They shall continue to appear until the last of them appears with the Anti-Christ: 318, 341, 377, 393
- They shall pass through the religion/Islam just as an arrow passes through a hunted game 244, 267, 297-298, 303-305, 312-313, 315, 318, 320, 331-332, 335, 349, 356, 357, 377
- They shall quote the Qur'an believing that it is for them although in reality it is against them 346
- They shall recite the Qur'an but it will not pass their throats 346
- They should not impose the tax on non-Muslim women or children 148
- They will apparently invite the people to God's Book although they have nothing to do with it 346 They will appear during a

time in which there is disunity 348 They will be brainwashed 344 They will be extremely oppressive, blood-thirsty and violent 347 They will be extremists in religious matters 345 They will be the most evil of the creation 347 They will be young in age 344 They will believe in the clearcut verses of the Qur'an but fall into destruction 348 They will block the roads. shed blood without any authorization from God 348 They will continue to appear until the last of them appears with the Anti-Christ 345 They will declare it obligatory to wage armed rebellion against an oppressive and corrupt government 350 They will defame their rulers and charge them with misguidance 347 They will emerge from the east [of sanctuaries] 344 They will have thick, unkempt beards 344 They will make truthful demands with their tongues but they will not pass

beyond their throats 348-349 They will not cease to emerge, until the last group of them emerges [with the Anti-Christ] 393, 394 They will not turn from their doctrine and indeology 394 They will recite the Qur'an but the believers' recitation will not resemble theirs 346 They will shed blood that is inviolable 348 They will speak the words of the best of people 309, 312-313, 331, 347, 357 They will take the verses revealed about the disbelievers and apply them to the believers 349 They will wear their lower garments high upon their legs 344 They would be made the dogs of Hell [in the Hereafter] 350 This is the covenant of security from the servant of God . . . to the people of Jerusalem 160 Those who fight against them will earn a great reward 349 Time will seem to get shorter

and knowledge will

diminish 73

- Today they are reciting the Qur'ān but tomorrow they will be fighting with their swords 328
- 'Umar b. al-Khattāb & wrote a letter to the military commanders 148
- 'Umar exempted him [the elderly non-Muslim] from the tax that was due from him 152
- Until the Anti-Christ appears in their last remnant 319, 378, 387
- We fought in the Battle of Khaybar 144
- We have not been fair to you if 150
- Were I to execute ambassadors, I would have executed both of you 100
- When God assembles the first and the last, a herald will call out 51
- When he came to a people [a force] at night, he would not attack them until daybreak 133
- When shortcomings befell the Children of Israel 408
- When the Kharijites seceded from 'Alī he went out in pursuit of them 277, 324
- When the Kharijites started their rebellion 310 Where are the people of

- spiritual excellence 51 Wherever you encounter them, slay them 299, 357
- Who has tormented this bird by taking her young ones 134
- Whoever amongst you witnesses an evil, let him reform it [practically] with his hand 403
- Whoever believes in God and the last day, let him behave with excellence towards his neighbour 50
- Whoever detests their bad deeds 214, 217-218
- Whoever enters Abū Sufyān's house is safe 132
- Whoever hurts a non-Muslim citizen, I shall be his opponent 113
- Whoever is under our guarantee of protection, then his blood is like our blood 154
- Whoever kills himself with something will be tormented by it in the Hellfire 81
- Whoever lays down his weapon will be safe 132
- Whoever points a piece of iron [e.g., a gun] at his brother, the angels will curse him 60
- Whoever rebels against the writ of the Muslim state

- and separates himself from the community 197
- Whoever shuts his door is safe 132
- Whoever slays them will be granted a reward on the Day of Resurrection 299, 343
- Whoever stabs himself to death, he will continue to stab himself in Hell 80
- Whoever takes up arms against the Muslims 262
- Whoever throws himself off a mountain, thereby killing himself 80
- Whoever withdraws his obedience 198
- Whoever wrongs a non-Muslim citizen, or diminishes any of his rights 112
- Why do you fight against us 288
- Woe to you! Who will be just if I am not just 266-267,
- Yes, I heard him, and he pointed towards the east and said 315

- You find some things with them agreeable and other things disagreeable 214, 217-218
- You must prohibit the Muslims from wronging and harming their non-Muslim citizens 147
- You must surely enjoin the good and forbid the evil 212-213, 401-402
- You shall soon come upon people who have secluded themselves in monasteries 128
- Young children, women and infirm elderly men should not be killed in war 137
- Your blood and your property and your honour are inviolable 93
- Your blood and your property are inviolable, like the inviolability of this day of yours 71
- Your blood and your property are unlawful to you 107
- Your body has a right on you and your eyes also have a right 79

GENERAL INDEX

Abbasid 227 'Abd al-'Azīz al-Dihlawī 372 'Abd al-'Azīz b. 'Abd Allāh see Ibn Bāz 'Abd al-Haqq al-Dihlawī 371 'Abd al-Mālik b. Mājishūn 355 'Abd al-Qāhir al-Baghdādī 350 'Abd al-Rahmān al-Jazīrī 237 'Abd al-Rahmān b. 'Abd Allāh 134 'Abd al-Rahmān b. al-'Alā' al-Hadramī 401 'Abd al-Rahmān b. Baylamānī 103 'Abd al-Rahmān b. Muliam al-Murādī 189, 282 'Abd al-Razzāq 31, 101, 104, 137, 276, 308, 324, 343, 345 'Abd b. Humayd 33, 74, 85, 89 'Abd Allāh b. 'Abbās see Ibn 'Ahhās 'Abd Allāh b. al-Kawā' 281 'Abd Allah b. al-Samit: 76 'Abd Allāh b. 'Amr b. al-'Åş 31, 34, 68, 110, 318

'Abd Allāh b. Burayda 68

'Abd Allah b. Busr 74

Khuwaysira al-Tamīmī 266-268, 275, 281, 307, 332 'Abd Allāh b. Ḥadrad al-Aslamī 151 'Abd Allah b. Khabbab 287, 292, 327 'Abd Allāh b. Mas'ūd 34. 51-52, 72, 100-101, 113, 298, 312, 320, 331, 383 'Abd Allāh b. Nuwāha 100 'Abd Allāh b. Rabāh al-Anşārī 343 'Abd Allāh b. Sabā 269 'Abd Allah b. Sakhbara al-Sulamī 291 'Abd Allāh b. 'Umar 32, 40, 59, 72-73, 99, 121, 131, 138, 211, 315-316, 319, 377 'Abd Allāh b. Wahb al-Rāsibī see Ibn Wahb Abd al-Aziz Al-Shaykh xxv abode of Islam [Dār al-Islam | 283 abode of war [Dār al-Harb] 283 Abraham 270 Abū 'Abd Allāh see Ahmad b. Hanbal

'Abd Allāh b. Dhī al-

Abū al-Hārith 227 Abū al-Hasan al-Ash arī 94 Abū al-Haytham 44 Abū 'Amr al-Shaybānī 26 Abū Ayyūb al-Anşārī 288, 289, 293 Abū Bakr al-Khalāl, 227-228, 328, 377 Abū Bakr al-Şiddīq 98, 104, 124, 127-128, 137-138, 144-147, 294, 334, 343, 407 Abū Bakra 98, 343 Abū Bilāl [Kharijite] 322 Abū Burza 318 Abū Dāwūd 23, 33, 42, 50, 52-53, 61, 73, 76, 80-81, 88, 98, 103, 112-113, 125, 131-132, 134-136, 138, 144, 150, 213, 218, 276, 298, 304, 308, 327, 332-334, 347, 403, 406-408 Abū Dharr 50, 298, 306, 326, 331, 362, 371 Abū Ghālib al-Himsī 259-260, 321-322, 357, 374-375, 382 Abū Hafs al-Hanbalī 74, 95, 98, 195, 258-259, 262-264, 266 Abū Ḥanīfa 10, 29, 103-104, 223, 374 Abū Hurayra 33-34, 39, 41, 53-54, 60, 65, 72-73, 80, 86, 132, 246, 327, 387, 402

Abū Manşūr al-Baghdādī 286 Abū Mansūr al-Māturīdī see Māturīdī, al- 374 Abū Mutī 370 Abū Nașr al-Fārābī al-Jawharī Abū Sa'īd al-Khudrī 72, 266, 298, 304-306, 315, 323, 331-334, 361-362, 365, 371, 380-381, 391, 403, 405-406 Abū Salama 305, 323, 380-38I Abū Shurayh al-Khuzā'ī 42, Abū Sufvān 132 Abū Thaʻlaba 121 Abū 'Ubayd al-Qāsım b. Sallām 107, 143, 150, 152-153, 155, 408 Abū 'Ubayda 107, 119, 147, Abū Umāma 258-261, 298, 321-322, 327, 357, 374-375, 382 Abū Wā'il 46 Abū Ya'lā 345 Abū Yūsuf 106-108, 143, 147, 149-151, 153 Abü Zayd 36 Abyssinia 410-412 Abyssinian 215 act of disbelief 7, 69-70, 94, 2.T T 'Ad 332, 338-342, 355-356, 360, 364 'Adī b. 'Adī 335

'Adī b. Ḥātim 406 Afghanistan xxIX, xxx Ahl al-Sunna wa allamā'a 94, 242, 244, 376 ahlās, al- 77 Ahmad b. Ḥanbal 10, 26, 31, 33-35, 38-41, 51-54, 72, 81, 88, 98, 100-102, 121, 123, 126-127, 131, 144, 150, 198, 212-213, 227-228, 276, 279, 298, 303, 308, 311-313, 315-321, 323, 327-328, 331-332, 334-335, 341, 343, 373, 383, 386, 401-402, 406-407, 409 Ahmad b. Şālih 210 Ahmad Ridā Khān 377 Ahmad Yassin xxv 'A'isha 52-53, 259, 295, 299, 303, 326, 348 Ajūrrī, Abū Bakr, al- 267, 297 Akhfash, al- 164 Albānī, al- 241-242 Ali al-Sistani, Grand Ayatollah xxvii 'Alī b. Abī Tālib 11, 82-83, 104, 108, 114, 125, 132, 153-154, 189-190, 199-200, 232, 236, 253, 255, 265, 267, 270-279, 281-292, 293-294, 297-299, 304, 306, 308-312, 317, 319-320, 323-324, 326, 331-333, 335, 344, 349,

362, 366-367, 371-374, 377, 379-381, 383, 390-393 Algeria 242 ambassador 8, 100-101 America see US Akram Sabri xxv Amman Message xxvi, xxvii 'Ammär 132 Anas b. Mālik 40, 46, 51, 125, 133, 249, 307, 326, 333, 381, 402 Andarītī, 'Ālim b. al-'Alā', al- 234 Anşār 63, 82-83, 138 Anşārī 63 Anti-Christ [al-Dajjāl] 255, 317-319, 341, 345, 377-378, 387, 393 apostasy XXVII, 69-70, 100, 268 apostates XXVI, 11, 53, 176, 233-234, 236, 259, 267, 294, 298-299, 305, 309, 312, 320, 327, 331, 337, 344-347, 349, 357-358, 360 Arab xxiv, xxv, 161, 241 Arabic 21, 26, 29-30, 124, 136, 173 Ash'arī, Abū Mūsā, al- 31, 38 Ashja° 269 'Aşim b. Kulayb 138 'Asim b. Shumaykh 380 Aslam 148 'Asqalānī, Ibn Ḥajar, al- 76,

464 | FATWA on Terrorism and Suicide Bombings

210, 256, 268, 270, 278, 281-282, 305-307, 309-310, 313, 324-326, 333, 135, 339, 358-360, 362, 365-367, 375-376, 378-379, 382, 391-392 Aswad b. al-'Ala' 381 Aswad b. Sarī 122 'Atā' 194, 262, 376 'Atā' b. Yasār 305 'Atāb b. al-A'war 281 'Awf b. Mālik 215, 224 Awzā'ī, al- 72, 130 Avman al-Zawahiri xxiv 'Avnī, Badr al-Dīn, al- 113, 117, 211, 256, 268, 313-314, 320-321, 341, 370 Azāriga, al- 281 Azhar University, al- xxvi Azharī, Abū Manşūr Muhammad, al- 26, 36, 43, 48 Baghawī, al- 78-79, 194, 234, 247-248, 263 Baghdad 227 Baladhurī, al- 143, 152-153, 155 Banū 'Amir b. Şa'şa' 278 Banū Asad 132 Banū Qurayza 123 Banū Tamīm 266 Bara' b. 'Azib, al-68 Bayhaqī, al- 33, 39, 43, 51-53, 60, 65, 68-69, 73, 81, 103, 112, 121, 123, 125-129, 135, 137-138,

146, 148, 154, 198, 202, 271, 313, 321-322, 324, 334, 402 bayt al-mal [public treasury 155 Bin Laden xxIV blood money 8, 102-104, 152-154, 169 Bosnia Herzegovina 186 brigand 97-98, 176, 178, 181, 187, 189, 194-195, 257, 263, 376, 379, 383 Buddhist xx111 Buhūtī al-Ḥanbalī, al- 182-183 Bukayr b. 'Abd Allāh b. al-Ashaji 326, 369 Bukhārī, al- 22-23, 26, 31-34, 39-40, 42, 53-54, 63-64, 69, 71-73, 79-81, 83-86, 93, 99, 105, 107, 109, 121, 133-134, 148, 174, 200-201, 210-211, 247, 249, 267, 294, 298-299, 304-305, 308-309, 312, 315-316, 320, 325, 327, 331-332, 344-349, 357-359, 366, 370, 375, 390, 401, 409 Byzantine Greeks 147

Canterbury XXVII
capital punishment 62, 89,
155, 194
Children of Israel 27, 84,
246, 408
Christiane Amanpour XXVIII

Christians XXIII, XXVII, 103-104, 107-108, 115, 147, 152, 154-155, 161, church 127, 146-147, 154-155, 160, 163, 165 cloister 127, 146, 154, 163 Common Word xxvi-xxvii consensus [1]māc] 10, 102, 107, 109, 131, 152, 162, 178, 209-210, 233, 235, 337-338, 349, 371-373, 376, 378 Copt 149 Custodian of the two Sanctuaries 184 Dabba b. Miḥşan 218 Daḥḥāk, al- 81, 125, 194, 262 Dajjāl, al- see Anti-Christ Damascus 259, 374 Dār al-Harb see abode of war Dar al-Islam see abode of Islam Dāraqutnī, al- 145 Dasūgī, al- 177-178 David 190, 408 Deobandi 382 devil 60, 3,87-389 Dhahabī, al- 198, 268, 270 Dhū al-Khuwayşira see 'Abd Allāh b. Dhī al-Khuwayşira differences doctrinal 7, 59, 66, 73, 161-162, 164

ideological 59, 66, 73

disfiguring the dead 102, 126-128, 189 dogs of Hell [Kharijites] 242, 259, 321, 350, 358, 374

Egypt 110, 242 Egyptian 110 Eid 147, 318 embassy 101 Ethiopia 410-411 Ethiopians 412 Europe 205

Fahd bin Abdul Aziz. King 184 Farewell Pilgrimage 41, 304, 308, 332, 344 Farrā', al- 119 Fātima 109 firga al-bāghiya, al- [the rebellious sectl 174 forbidding evil meaning of forbidding evil physically 404 three levels of 403 freedom of expression 409 freedom, religious 8, 143, 159, 160-161, 165, 169 French Revolution 110 Friday 254 Fudāla b. 'Ubayd 41

Gabriel 23, 49
Gallup World Poll XXIII, XXIV
Ghazālī, Abū Ḥāmid, al- 360
government
authority of 9, 12, 17, 176,
180-181, 184, 189, 203,

```
Hasan al-Başrī, al- 46, 84, 97,
   228-229, 232, 236-237,
   249, 256, 273, 383
                                   163, 194, 262
                                Hasan b. Muhammad b. 'Alī.
 constitutional 9, 173, 177,
                                   al- 373
   179, 249
 corrupt 149, 176, 180,
                                Haskafī, al- 108, 110, 175,
   209-212, 218, 235, 294,
                                   177-178
   350, 400
                                Hawazin 268
                                Haythamī, al- 347
 Muslim 145, 159, 161, 179,
                                Hindī, al- 110, 146
   180-183, 193, 202, 204,
                                Hindu xxIII
   209, 212, 230, 237, 254,
                                Hishām 218
   337, 392
                                Hishām b. al-Ḥakīm 77, 149
 non-Muslim 210
                                 Homs 149
Hafs [Anas' nephew] 307,
                                Hudhayfa b. al-Yaman 200,
   38I
                                   202, 327-328, 401
Haji 35, 71
                                Humavd b. Zanjawayh, see
Hākim, al- 31-32, 38, 40-43,
                                   Ibn Zanjawayh
   51-52, 54, 60-61, 98, 100,
                                Hunayn, Battle of 87
   123, 131, 269-270, 294,
                                Huraga 63
  298-299, 313, 319, 321,
                                Hurgūs b. Zuhavr 268, 281
   323-324, 334, 341-343,
                                Husām al-Dīn al-Hindī see
   348, 387
                                   Hindī, al-
Hamas xxv
                                Husayn b. Khārija 269
Hanafī, al- 105, 108, 124,
                                hypocrite 88, 315, 345, 363
   175, 187, 223, 230-231,
   236, 367, 369, 375
                                Ibadis XXVII, 225
Hanbalī, al- 114, 189, 383
                                Ibādiyya, al- 281
haraj [killing] -73
                                Ibn 'Abbās 69, 74, 101, 122,
Harb b. Ismā'īl al-
                                   126-127, 164, 193, 198-
   Kirmānī 328
                                   199, 259, 261, 295, 307,
Hārith b. Murra al-'Abdī,
                                   323, 348, 369, 381, 388
  al- 287, 292
                                Ibn 'Abd al-Barr: 135, 187,
Hārūn al-Rashīd 229
                                   270, 335
Harūrā 271, 317, 350
                                Ibn Abī 'Āṣim 69, 313, 343,
Harūriyya 199-200, 225,
   259, 264, 283-284, 305,
                                Ibn Abī al-'Izz al-Hanafī 224-
  323, 326, 343, 369
                                   225
```

Ibn Abī Ḥagīg 121 Ibn Abī Hātim 257-258, 260-261 Ibn Abī Laylā 105 Ibn Abī Shayba 31, 43, 51, 102, 104, 125, 127, 129, 137-138, 146, 148, 202, 271, 303, 307, 315, 322-323, 327, 343, 381, 402 Ibn 'Abidīn see Shāmī, al-Ibn al-'Arabī, Qādī Abū Bakr al-Mālikī 282, 249, 360 Ibn al-Athīr 271-272, 286-289, 291, 314 Ibn al-Bazzāz al-Kurdarī 369-370 Ibn al-Juzayy al-Kalbī 178 Ibn al-Kawā' 265 Ibn al-Mundhir 74, 131 Ibn al-Qāsim 225, 355 Ibn al-Qayyim 119, 131, 162-164 Ibn 'Arafa 179 Ibn 'Awf 135 Ibn Barrī 29 Ibn Battāl 121, 210 Ibn Bāz 242 Ibn Fāris 173-174 Ibn Ḥabīb 355 Ibn Ḥajar see 'Asqalānī, al-Ibn Hazm 109, 114 Ibn Hishām 411-412 Ibn Hubayra al-Hanbali 181, 378 Ibn Humam 175, 177-178, 187, 195-196

Ibn Kathīr: 46, 70-71, 79, 159-160, 194, 258, 260, 262, 287-291, 293, 411 Ibn Mājah 23, 34, 40-43, 50-51, 53, 59, 65, 68, 99, 121, 131, 174, 212-213, 299, 303, 312, 319-320, 323, 331, 333-334, 358, 378, 382, 401, 403, 406-408 Ibn Mardawayh 260 Ibn Muflih 181-182, 235 Ibn Muljam 189, 282, 286 Ibn Nujaym 174, 177, 236, 256 Ibn Qudāma al-Magdisī 108-109, 114, 130, 146, 148-149, 181, 188, 190, 232-233, 373-374 Ibn Qutayba 46 Ibn Rushd 102, 104, 109, 162 Ibn Sa'd 107, 143-144, 148, 152-153 Ibn Shihāb al-Zuhrī 104 Ibn Taymiyya 115, 254-255, 282-283, 294, 350, 356-357, 365-366, 378-379, 389-390 Ibn 'Umar see 'Abd Aliah b. 'Umar Ibn Wahb 210, 272, 287 Ibn Zanjawayh 107, 143-145, 152-153, 155 Ibn Zayd 45 Ihsan 5, 21, 23, 25, 43-49, 51, 55 Tiāra, al- 281

Ijtihād 392 Iman 5, 21-25, 36, 38, 43, 47, 49, 55 three characteristics of 41 Indian Subcontinent 205, 246, 382 Iran 147 Iranian xxIII Iraq xxv, xxvi, xxix, xxx, 147, 271, 284, 286 Iragi xxix 'Irbād b. Sāriva al-Sulamī 135 Islam. literal meaning of 21, 25-30 no coercion in 159-161 three levels of 21, 23-25 Islamic Academy of Jurisprudence 184 Islamic state 8, 9, 10-12, 93-94, 98, 105, 108, 112-115, 139, 155, 163-164, 166, 169, 173-174, 182, 263, 269, 283 Islamic world 4-5 Israel xxiv-xxv Israelis xxv 'Iyad b. Ghanam 149 Jabir b. 'Abd Allah 129 Jābir b. Samura 88 Jābiya, al- 152 la'farī 183-184 Jamal, Battle of, at- 282, 284 Japanese xxix Ja'rāna 267, 296 Jassās, Abū Bakr, al- 105, 163-164

Jazīrī, 'Abd al-Rahmān, al- 237 Jerusalem xxv, 161 lesus 402 Jews 103, 115, 144, 161, 186 Iewish xxIII iihad xxIV, 1-2, 9-12, 14-17, 85, 101, 120-122, 124, 127, 131, 133-134, 136-137, 139, 186, 200, 204, 213, 228, 245, 271, 289-290, 293, 304, 405 against corrupt rulers 213 conditions for 246 suicide during 85 terrorist activities not jihad 246 Joseph 48 Jubayr b. Nufayl 126 Juhayna 63 Junāda b. Abī Umayya 209 Jundub b. 'Abd Allāh 84, 276, 278, 324, 328 Juray₁ 376 Juwaybir 132 Ka'ba 22, 36-37, 40, 59, 131, 317 Ka'b b. Mālik 121 Khalāl, al- see Abū Bakr Kāsānī, al- 111, 187-188, 198, 200, 232, 344 Kāshmīrī, Anwar Shāh 99, 321, 382 Khālid b. al-Walīd 144-145,

147, 304, 308, 332

Kharijites

1

apostates from Islam 11 appear from the east 315are cursed 263 at war with God and His Messenger 261 attractive slogans of the Kharijites 291, 309, 312, 314, 387 brainwash and employ young people 65, 83 compared with 'Ad and Thamud 339, 341-342, 360 comprehensive description of 344 definition of 254, 256 disrespectful to the Prophet 267 dogs of Hell 242, 259, 321, 350, 358, 374 must be eliminated 329 people of sedition 260, 270 presume that they are pious 264 prophetic sayings regarding psychological traits of 286 rebels 8, 11, 17, 175-176, 179-180, 188, 190, 196-197, 200, 223, 226, 229, 232-235, 237, 249, 256-257, 267, 337-338, 357, 360, 372-374, 377-378, 382 rouse religious

sentiments 289

signs of 187, 343 their appearance 266 their ideological 268 worst of creation 315, 325-327, 335 during the reign of 'Alī b. Abi Ţālib 11, 153, 255 during the reign of 'Uthman b. 'Affan 11, 104, 144, 253, 366 Khāzin, al- 258 Khaybar 85-86, 133, 135, 144-145, 162 Kosovo 186 Kufa 281, 289, 333 kufr bawāh [manifest disbelief] 209 kufr sarāh [explicit disbelief] 210 Kuwaitis XXIII

Layth al-Shaybānī, al- 43-44
Layth b. Sa'd 98
Lebanon 161
legal retribution [qiṣāṣ] 8, 97
Levant [Syria] 225, 275, 292293, 316
Lutheran World
Federation XXVII

Madā'in 285 Makka Declaration 284 Mālik 10, 137, 146, 225, 316, 355-356, 373, 407 Mālikī 110, 178, 355, 360, 363, 367 Marghīnānī, al- 232 Mar'ī b. Yūsuf al-Hanbalī 182 Mary 408 ma'sum [infallible] 225 Māturīdī, al- 94-95 Māwardī, al- 187, 229-230 Mecca 14, 22, 36, 184, 242, 317,411 conquest of 132 Medina 248, 262, 297, 317 Middle East 205 military operation 249, 376 Migdād b. Aswad 64 Mongol 115 monk 127, 143, 146, 307, 38I Moses 246 mu'mın [believer] 21, 25, 35-36, 44 Mu'ādh b. Anas 136 Mu'awiya 275, 295 Mubārakpūrī, 'Abd al-Raḥmān 217, 310, 314, 372 Muhammad b. 'Abd al-Karīm al-Shahrastānī 254, 281 Muhammad b. Ahmad b. al-Juzayy al-Kalbī see Ibn al-Iuzavy al-Kalbī Muhammad b. al-Hasan al-Shaybānī 164 Muhammad b. al-Mawwäz 355-Muhammad b. 'Amr 381 Muhammad b. Ibrāhīm al-Yamānī 382 Muhammad b. Muflih al-

Maqdisī al-Ḥanbalī see Ibn Muflih Muhammad b. Yazīd 26 Mujāhid 36, 96, 137, 194, 262, 293 Mujāhidūn 101, 293, 304 Mullā 'Alī al-Qārī 371 Munāwī, al- 52, 384 Mundhirī, al- 44, 59, 75-76, 112, 328 Muqātil 46, 74 murder intentional 69-73, 102 of a Chriatian 104, 152, 15. of a lew 104 of a non-Muslim citizen 93-94, 98-99, 105, 115, 155, 348 of a single Muslim 68, 122 of children 9, 70, 89, 102, 121-124, 127, 131, 137, 139, 293 of mass 13, 16, 30, 59, 61, 65, 69, 72-73, 94, 204, 218, 228, 257, 271, 289, 319 of non-Muslim minorities 294 of one individual 89, 95 of women 6, 9, 89, 121, 124-125, 133, 146, 287 Musaylama 100 Muslim [Imam] 23, 26, 31-35, 39, 42, 50, 53-54, 60, 64, 71-73, 77, 80-88, 93, 105, 109, 121-122,

132-133, 150, 197-198, 201, 210, 212, 214, 216, 247, 267, 271, 273, 276, 298-299, 303-305, 308-309, 311-312, 315-316, 320, 326-327, 331-332, 344-349, 357, 401, 403 Mustamlī, al- 313-314 Mutazilites 227, 245

Nadhīr Husayn al-Dihlawī 268 Nāfi' 326, 369 Nāfic b. al-Azrag 305 Naḥās, Abū Ja'far, al- 259 Nahr, Battle of, al- 290 Nahrawan 222, 303, 401 Naid 338-339, 404 Najda al-Ḥarūrī 329 Najda b. 'Āmir 308 Najdāt, al- 303 Najran 129, 165 Nakha'ī, Ibrāhīm, al- 194, 262 nāqūs [clapper] 247 Nasā'ī, al- 23, 50, 54, 98, 100, 124, 151, 199, 213, 272, 311, 313, 319, 324-325, 327, 345, 370, 378, 380 Nāsir al-Dīn al-Albānī see Albānī, al-Nawawī, al- 109, 121, 179, 233-235, 254, 306, 311, 336-338, 340, 353-354, 361-362

Negus 410-412

North Africa xxIII Nu'aym b. Ḥammād 319 Nu'mān b. Bashīr, al- 39, 408

obedience 49, 86-87, 125, 175, 224, 226, 232, 285 to authorities 85-86, 179, 198, 233 to God 225, 277, 324 to Messenger 225, 342 orientalist 147, 161 Orthodox XXVII

Pakistan 3, 6, 17, 101, 317 Palestine XXIV-XXV, 186 Palestinian xxv Patriarch Alexei II XXVII Pearl Harbur XXIX Pentagon xxiv People of the Book 103, 135, 151, 265 people of war 233, 236 Philip K. Hitti 161 pilgrimage 22, 41, 308, 332 polytheism 74, 199, 204-205, 271, 273, 288, 328, 377, 389, 413 polytheist 59, 204-205, 289 Pope Benedict XVI xxvII predecessors 17, 242, 265 priest 102, 127, 143, 146

Qādī 'Iyād 202, 214-215, 335-338, 354, 356, 361-362, 382 Qādī Thanā' Allāh Pānīpatī, al- 194, 263 Qa'diyya [supporters of the Kharijites] 391-392
Qarāfī, Shihāb al-Dīn,
al- 110, 115
Qasṭalānī, Aḥmad b.
Muhammad, al- 211, 340,
370-371
Qatāda 46, 74, 96, 258, 266,
410
Qays b. Sa'd b. 'Ubāda alAnṣārī 288, 292
q1ṣāṣ see legal retribution
Qur'ān, createdness of 227
Quraysh 108
Qurţubī, Ibrāhīm al-Anṣārī alMālikī, al- 363

Rabāh b. Rabīh 130 Rāfi'ī, al- 360 Rāghib al-Aşfahānī, al- 46 Ramadān 22 Rāshid b. Sa'd 125 Rāzī, Fakhr al-Dīn, al- 74-75, 77, 79, 97, 258, 260-261, 264 reign of Abū Bakr 104, 144-145 of 'Alī 104, 153, 270, 317, 319 of 'Umar 104, 144, 147, 150 of 'Umar b, 'Abd al-'Azīz 154-155 of 'Uthman 104, 144, 152, 268 Rightly Guided Caliphs 12, 37, 145, 153-155, 169, 254, 296 Russia xxvII

Sa'd b. Abī Waggās 264 Sa'd b. Mu'ādh 123 Saddam Hussein xxix Safrīvva, al- 282 Şafwan b. Muharraz 328 Sahl b. Hunayf 316 Sahl b. Sa'd 85 Sahnun 225-226, 355 Sa'īd b. al-Musayyab 127, 194, 262 Sa'id b. Jubayr 230, 369 Sa'īd b. Juhmān 322 Salafi 239, 243-244, 246 Salama b. Kuhayl 275, 381 Sālih al-Fawzān 245 Şālıh b. Kaysān 128 Samarqandī, al- 265 Sarakhsī, Shams al-Dīn, al- 124, 230, 313-314, 375 Satan 16, 60, 280, 319 generation of 316 Saudi Arabia xxv, 242, 244 Sayyid Tantawi xxvi Serbs 186 Sha'bī, al- 105, 326 Shabīr Ahmad 'Uthmānī 211, 284, 307, 311, 314, 321, 333, 337-338, 340, 382-384 Shaddad b. Aws 49 Shāfi'ī 10, 98, 103-104, 121, 154, 179, 188-189, 226, 356, 373-374 Shāmī, Ibn 'Abidīn al- 110-111, 177, 367, 372 Sharīk b. Shihāb 317, 377

Shātibī al-Mālikī, al- 367-368 Shia xxvi, xxvii Shiites 367 Shirbīnī, al- 180-181 Shurayh b. Awfā al-'Abasī 272, 287 Siffin, Battle of 270-271, 282, 284 Southeast Asia XXIII Subkī, Taqī al-Dīn, al- 366-367, 382 Suddī, al- 45, 128, 205 Sufi vii Sufyān al-Thawrī 46, 229 Sufyan b. 'Uyayna 357 suicide 7, 61, 66, 77-81, 83-89, 134 bombings xxIII, xxv, xxvIII, XXXIII, 3, 6, 13, 74, 79, 83, 120, 204, 317 hadith on 80-88 no funeral prayer for 88 Paradise forbidden for 83-87 Qur'an on 78-79 unlawfulness of 79 Sulaymān al-Taymī 307, 381 Sulaymān b. 'Umar b. Muhammad al-Shāfi'ī 188 Sunni XXVI, XXVII Suwayd b. Ghafla 320, 370, Suyūţī, al- 74, 76, 194, 198, 259-260 synagogue 163 Syria 107, 115, 128, 137-

138, 146-147, 149, 161, 242 see also Levant Syriac 161 Tabarānī, al- 35, 40-41, 43, 50-51, 53, 59, 68-69, 76, 81, 121, 123, 143, 210, 260, 307, 321, 326, 347, 38I Tabarī, Ibn Jarīr, al- 148, 161, 193, 262, 265, 287, 306, 321, 348, 358, 370, 376, 379, 381 Tabarsī, Fadl b. al-Hasan, al- 184 Tābi'īn, al- [Successors] 254 Taḥāwī, Abū Ja'far, al- 121, 127, 223-224 Talha 189, 373 Taliban xxix Tāriq b. Ziyād 278, 311, 379, 382 terrorists XXIII-XXV, XXIX-XXXI, 3-7, 12-15, 17, 120, 133, 156, 223, 229, 231, 241 a group of ignorant folk 244, 291 against state 193, 200 appear religious [hadith] 196, 226, 304 beliefs of 253 killers of humanity 196 punishment of 65, 68, 74, 77, 338, 341 support to 65 Thābit b. al-Dahhāk 81

Thābit b. al-Ḥajjāj al-Kilābī 146 Tha'labī, al- 268 Thamūd [tribe] 332, 338-342, 353, 360, 364 Thawban 126 Timothy Winter XXIV Tirmidhī, al- 23, 26, 31-34, 39-40, 42, 50-52, 60-61, 68, 72, 80, 121, 133-134, 136-137, 212-213, 217, 298, 310, 312, 316, 320-321, 331, 349, 357, 360, 382, 388, 401, 403, 405-406, 408 Torah 162 Tufayl, Abū, al- 265 Turkey 161 Tūsī, Abū Ja'far Muhammad b. Husayn, al- 183-184 two Sanctuaries 184, 317, 344 'Ubāda b. al-Şāmit 209 'Ubavda al-Salmānī 275 Ubayd Allah 276 'Ubayd Allāh-b. Abī Rāfi' 310, 326 'Ubayd Allāh b. 'Umar 152-153 'Umar b. 'Abd al-'Azīz 154-155, 335, 355=356, 374, 376 'Umar b. al-Khattab 21, 147, 151-152, 266 Umayyad 154

Umm Salama [Mother of Believers] 213, 217-218, 411-412 Umma of Invitation 306, 362 Umma of Response 306, 362, 37I unjust rulers 202 'Urwa b. Udayya [or Udhayna] 294 Urwa b. Jarīr 281 US XXIII-XXV, XXIX, 205 Usāma b. Zavd b. Häritha 62-63 'Uthmān al-Battī 105 'Uthman b. 'Affan 11, 152, 282, 297

Wahb 369
Walīd b. ʿAbd al-Mālik 154
War on Terror XXIX
Wāthiq Billāh, al- 228
Watt, Montgomery Watt 147
Western 4-5, 121, 317
world, destruction of 7, 13,
16, 68, 163, 241, 264, 303,
342

World Trade Centre XXIV
Yaḥyā b. Abī Kathīr 381
Yaḥyā b. Sa'īd 137
Yaḥyā b. Sharaf al-Nawawī
see Nawawī, alYamama 286
Yazīd b. Abī Sufyān 124, 137,
146
Yazīd b. 'Āṣim alMuḥāribī 272

Yemen 304, 308, 316, 332 Yusayr b. 'Amr 315 Yūsuf b. Mūsā 328, 377 Yusuf Qaradawi xxiv-xxv, xxvii

Zāhid al-Kawtharī 223, 375 Zakariyyā al-Anşārī al-Shāfi'ī 179 Zamakhsharī, al- 97, 195, 262 Zayd b. Ḥiṣn al-Ṭā'ī al-Sanbasī 290 Zayd b. Wahb al-Juhanī 273, 308 Zayn al-Dīn b. al-Nujaym see Ibn al-Nujaym Ziyād b. Umayya 294 Zoroastrian 104, 154, 165 Zubayr 189, 295, 373, 412 Zubayr b. al-'Awām, al- 412 Zujāj, Abū Isḥāq, al- 26, 29, 37, 44

7/7 XXIII 9/11 XXIII-XXV, XXIX-XXX